

Appendix F Environmental Commitments Record for Preferred Alternative B

The purpose of the Environmental Commitments Record (ECR) provided in this appendix is to assign responsibility for the implementation, monitoring, and timing of each avoidance, minimization, mitigation, and standard condition measures that has been identified to address impacts of the project. Caltrans is the Lead Agency under NEPA and CEQA for the project, City of Bakersfield, as the agency sponsoring the project, would administer the design, right-of-way acquisition, and construction of the project, and manage the construction contractors. As a result, the city of Bakersfield is required to ensure compliance with each of the adopted commitments listed in the ECR.

The following matrix lists each of the environmental topics evaluated in the environmental document and the avoidance, minimization, and mitigation measures required to reduce or eliminate project impacts related to those topics. The columns in the following matrix provide the following information (described by column heading, from left to right):

- **ID No.:** This column provides the number of each commitment, as defined in detail in Chapters 3 and 4.
- **Task and Brief Description:** This column provides the complete language of each environmental commitment, from Chapter 3.
- **Source:** Describes the specific section in the Final Environmental Document from where the commitment was derived.
- **SSP/NSSP:** Indicates if a Standard Special Provision or Non-Standard Special Provision will be required to implement the commitment.
- **Responsible Staff:** This column lists the party or parties and personnel responsible for ensuring that each commitment is properly implemented.
- **Action to Comply:** This column describes the specific actions or steps that will be taken to complete the commitment.

- **CEQA Significance Addressed:** This column describes the significance level (potentially significant impact, less than significant with mitigation, less than significant, and no impact) of the CEQA impact that the commitment addresses.
- **Task Completed:** This column will be initialed and dated by one of the responsible staff members as soon as the corresponding environmental commitment has been completed.
- **Remarks/Due Date:** This column will be filled out as necessary. Due dates will be determined at a later date.

Centennial Corridor Environmental Commitments Record										
ID No.	Task and Brief Description	Source	SSP/ NSSP	Project Timing	Responsible Staff	Action to Comply	CEQA Significance Addressed	Task Completed		Remarks/Due Date
								Initial	Date	
Farmland										
AG-1	Mitigation and Minimization: In conjunction with right-of-way acquisition for the improvements to the Stockdale Highway/State Route 43 intersection, Caltrans shall coordinate with the County of Kern and the California Department of Conservation on Caltrans' intent to acquire property within a Williamson Act contract. Such notices shall be consistent with Government Code Sections 51290 through 51295 for public acquisition of Williamson Act land for a public improvement. The County of Kern shall amend the applicable Williamson Act contract to reflect the removal of the right-of-way purchased for roadway improvements from the contract.	Final environmental document Volume 1, Section 3.1.3, Measure AG-1	No	During right-of-way acquisition process	Caltrans Right of Way Staff, City of Bakersfield Right of Way Staff, and County of Kern Staff	Coordinate with the County of Kern and the California Department of Conservation on its intent to acquire property within a Williamson Act contract.	Less Than Significant Impact			
Community Character and Cohesion										
C-1	Minimization and Mitigation: The overall Centennial Corridor aesthetic design theme shall be compatible with surrounding neighborhoods and in keeping with the overall Westside Parkway design theme, to the extent feasible, including landscaping, aesthetic sound wall, and bridge treatments. Other approaches and design solutions to mitigate or reduce community impacts will continue to be evaluated through final design.	Final environmental document Volume 1, Section 3.1.4.1, Measure C-1 Centennial Corridor Final EIR/EIS Volume 3, Chapter 2, F-1	No	Final Design	Caltrans Landscape Architect (Oversight) and City of Bakersfield Project Engineer/Landscape Architect	Maintain aesthetic design theme consistent with Westside Parkway.	Significant Impact			
C-2	Minimization and Mitigation: Caltrans, in coordination with the city of Bakersfield, prepared a relocation analysis as part of the <i>Final Relocation Impact Report</i> (December 2014). The results have been incorporated into the final environmental document. The relocation analysis enabled the relocation activities to be planned so that the problems associated with the displacement of individuals, families, and businesses are recognized in advance of moves and so that solutions are developed to minimize the adverse impacts of displacement. The scope of planning was based on the complexity and nature of the anticipated displacement activity, including the evaluation of program resources available to carry out timely and orderly relocations.	Final environmental document Volume 1, Section 3.1.4.1, Measure C-2	No	During right-of-way acquisition process	Caltrans Right of Way Staff and City of Bakersfield Right of Way Staff	Implement mitigation measures identified in the Final Relocation Impact Report.	Significant Impact			
C-3	Minimization and Mitigation: Close coordination with the Kern County Department of Human Services shall be undertaken to prepare a special publication for the residents of the Centennial Corridor project area that will identify the variety of social service providers available from metropolitan Bakersfield and Kern County public and private community-based organizations, including local religious institutions. The publication, which will be prepared in both English and Spanish, will also include contact numbers and the methods to obtain those services. Hard copies of the publication will be widely distributed in addition to online versions being placed on a website for viewing and downloading. The following services should be anticipated: employment opportunities and workforce development; legal services; information about financial and tax consequences of relocation; possible homeowner credit-repair counseling; first-time buyer counseling; and other services for special needs populations, including disabled, low-income, and senior citizens.	Final environmental document Volume 1, Section 3.1.4.1, Measure C-3	No	During right-of-way acquisition process	City of Bakersfield Right of Way Staff and Kern County Staff	Prepare publication that will identify the variety of social service providers available from metropolitan Bakersfield and Kern County public and private community-based organizations.	Significant Impact			
Relocation and Property Acquisition										
SC-R-1	Standard Condition: Caltrans, in coordination with the city of Bakersfield, shall implement all property acquisition and relocation activities in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act) of 1970 (Public Law 91-646, 84 Stat. 1894). The Uniform Act mandates that certain relocation services and payments be made available to eligible residents, businesses, and non-profit organizations displaced by the project. The Uniform Act provides uniform and equitable treatment by federal or federally assisted programs of persons displaced from	Final environmental document Volume 1, Section 3.1.4.2, Standard Condition SC-R-1	No	During right-of-way acquisition process	Caltrans Right of Way Staff and City of Bakersfield Right of Way Staff	Implement all property acquisition and relocation activities in accordance with applicable federal policies.	Less Than Significant Impact			

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	their homes, businesses, or farms, and establishes uniform and equitable land acquisition policies.									
R-1	<p>Minimization: The following measures may be considered by Caltrans and the city of Bakersfield for incorporation into the relocation plan to minimize impacts to displaced businesses and residences:</p> <ul style="list-style-type: none">• Disruption of children’s education shall be minimized to the extent feasible. This may include, where possible, scheduling the relocation of families with school-aged children during the months of June through August, and identifying, as a priority, replacement housing options within the same Bakersfield public and private school district for those families who wish to keep their children there.• All relocation assistance materials shall be written in a non-technical way and be available in Spanish and English. One or more of the relocation specialists shall be fluent in Spanish; have demonstrated training/be certified from the International Right-of-Way Association; and have no fewer than five years of experience in explaining to potentially affected homeowners, tenants, and businesses, the provisions of the Uniform Relocation Act, as amended.• To the extent applicable, relocation of residential and non-residential properties shall be phased over time so that displacees have an opportunity to select the best replacement sites without competing with other affected property owners within the same community.• To the extent applicable, a lease-back of non-residential properties shall be considered to allow those proprietors who wish to continue to conduct their business at their current location as long as it is feasible.• Last Resort Housing Program payments shall be used to relocate residential households being displaced, if necessary, as provided for by the Uniform Relocation Act, as amended.• One or more specialists on the relocation team with prior experience working with people with special needs—especially the elderly, disabled, and low-income population groups—shall be made available to facilitate the relocation process.• Supplemental transportation at no cost shall be offered for displaced persons to inspect potential relocation housing should they be unable to use their own transportation.• At least one “business fair” shall be conducted to provide information to those businesses facing displacement. The fair will be an opportunity to provide businesses with the information and resources concerning how to optimize the impending relocations. Among people expected to participate are those working in the commercial leasing sector, moving companies, and others.• In advance of potential relocations of minority-owned businesses, outreach to such organizations as the Kern County Black Chamber of Commerce and Kern County Hispanic Chamber of Commerce shall be undertaken to identify resources that may be of particular help to such businesses.	Final environmental document Volume 1, Section 3.1.4.2, Measure R-1	No	During right-of-way acquisition process	Caltrans Right of Way Staff and City of Bakersfield Right of Way Staff	Incorporate identified measures into the relocation plan to minimize impacts to displaced businesses and residences.	Less Than Significant Impact			

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Utilities/Emergency Services										
SC-U-1	Standard Condition: Existing oil wells within the proposed right-of-way would be abandoned in accordance with the requirements in the California Code of Regulations. This includes filing a Notice of Intent and preparing an abandonment plan for approval by the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources. Completion of the well abandonment process in compliance with existing regulations would ensure that no environmental hazards are created by the plugging operations or the abandoned well.	Final environmental document Volume 1, Section 3.1.5, Standard Condition SC-U-1	Yes	During right-of-way acquisition process	Contractor Resident Engineer	Oil wells identified for abandonment must be done per California Code of Regulation requirements.	Less Than Significant Impact			
Traffic and Transportation/Pedestrian and Bicycle Facilities										
T-1	Mitigation: Traffic and Transportation/Pedestrian and Bicycle Facilities: Modifications could include parking lot design modifications, space management (such as parking area restriping), or identifying parking lot replacement options.	Final environmental document Volume 1, Section 3.1.6, Measure T-1	No	Final Design	City of Bakersfield Project Engineer and Caltrans Engineer (Oversight)	Consider parking replacement options.	Less Than Significant Impact			
T-3	Minimization and Mitigation: Traffic and Transportation/Pedestrian and Bicycle Facilities: During final design, Caltrans shall work with the city of Bakersfield to amend the Metropolitan Bakersfield General Plan, Bikeway Master Plan to reflect the modified Class 3 bicycle route affected by Alternative B and shall take into consideration the means to minimize both operational and construction impacts to existing and planned bike routes and trails potentially affected by the project construction, including the Kern River Parkway bike path and Hoey Trail. The Kern River Parkway bike path and Hoey Trail shall be protected in-place to ensure connectivity with the existing facility on both sides of the bridge. All pedestrian facilities shall be designed to meet or exceed requirements of the Americans with Disabilities Act and current safety standards. Access to the pedestrian, bicycle, and equestrian trails shall be maintained to the extent practicable during the construction period.	Final environmental document Volume 1, Section 3.1.6, Measure T-3	No	Final Design	Caltrans Project Manager and City of Bakersfield Project Manager	Amend the Metropolitan Bakersfield General Plan, Bikeway Master Plan to reflect the modified Class 3 bicycle route affected by Alternative B.	Less Than Significant Impact			
Visual/Aesthetics										
V-1	Mitigation: In conjunction with final design, the city of Bakersfield and Caltrans shall develop, and the contractor shall implement, a landscaping plan that includes the following requirements: <ul style="list-style-type: none">All drip zones of isolated trees shall be protected with fencing. In addition, the existing environmentally sensitive areas (parks, Kern River) shall remain protected.An irrigation system shall be provided to all new plantings.An extended three-year maintenance period after the construction is completed shall be provided for single-source maintenance through the establishment period.	Final environmental document Volume 1, Section 3.1.7, Measure V-1	Yes	Final Design	Caltrans Landscape Architect (Oversight), city of Bakersfield, Contractor, and Resident Engineer	Develop and implement landscaping plan.	Significant Impact			
V-2	Mitigation: The overall Centennial Corridor aesthetic design theme shall be compatible with surrounding neighborhoods and in keeping with the overall Westside Parkway design theme, to the extent feasible, including landscaping, aesthetic sound walls, bridge treatments, and lighting fixtures. The architectural treatments are shown in the visual simulations and are primarily comprised of brick. Additionally, the simulations contain views with and without vines for walls. The city of Bakersfield and the county of Kern shall enter into maintenance agreements with Caltrans. The maintenance agreements with the city and county will include maintenance of the enhanced aesthetic treatment, including graffiti removal. It should be noted that the city will have to provide the beige color paint to Caltrans for graffiti removal so that it is matched with the Westside Parkway architectural treatments. In the event the city cannot provide the beige color paint, Caltrans will have to use grey color	Final environmental document Volume 1, Section 3.1.7, Measure V-2	No	Design, Project Completion	Caltrans Landscape architect (Oversight), County of Kern Project Manager, and City of Bakersfield Project Manager	City of Bakersfield to enter Maintenance Agreement with Caltrans.	Significant Impact			

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	paint to remove graffiti.									
V-3	Mitigation: As part of storm water runoff management, the infiltration basins will be designed to include buffer areas and/or plant screens to shield public views where practical.	Final environmental document Volume 1, Section 3.1.7, Measure V-3	No	Design	Caltrans project engineer (Oversight) and city of Bakersfield Project Engineer	Design infiltration basins per stormwater runoff management requirements.	Significant Impact			
V-4	Mitigation: Landscaping would be implemented upon completion of construction. Plant material would consist of native, drought tolerant, and self-sustaining species. Any proposed plant material shall be approved by the District Landscape architect and/or consistent with the Caltrans District 6-approved plant palette and would not include any invasive plant species.	Final environmental document Volume 1, Section 3.1.7, Measure V-4	No	Prior to Construction, Construction	Caltrans Landscape Architect (Oversight) and city of Bakersfield Landscape Architect	District Landscape Architect approval of plant material and/or Verify landscaping materials are consistent with Caltrans approved plant palette during PS&E phase of the project.	Significant Impact			
V-5	Mitigation: Caltrans shall preserve as many mature trees as practical. The landscape plan will incorporate a tree replacement plan with a replacement ratio of 1:1—for every one tree removed, a tree will be planted. Mature trees (larger than 20 feet high) that are to be removed shall be replaced using 20-inch box trees. A tree survey conducted by the city of Bakersfield and Caltrans shall be completed during the final design phase of the project. Design plans shall indicate locations of existing specimen-sized trees (larger than 20 feet high) to be preserved if possible. Tree replacement shall meet all Caltrans and city standards and policies.	Final environmental document Volume 1, Section 3.1.7, Measure V-5	Yes	Design, Construction	Caltrans Landscape Architect (Oversight), city of Bakersfield and Contractor Resident Engineer	Implement Landscape Plan and conduct tree survey.	Significant Impact			
Cultural Resources										
CR-1	Mitigation: The city of Bakersfield shall prepare for submittal to Caltrans, and ultimately the California State Historic Preservation Officer, a detailed report on the history of the key postwar housing tracts within Greater Bakersfield, built between 1945-1973, using broad themes and context from Caltrans' publication, <i>Tract Housing in California 1945-1973</i> (2011), and historical context and themes established in <i>Historical Resources Evaluation Report</i> for the Centennial Corridor Project as a foundation. The fact-based, objective report, of at least 50 pages in length, shall be prepared by a historian or architectural historian who meets the Secretary of the Interior's Professional Qualification Standards at 36 Code of Federal Regulations Part 61.	Final environmental document Volume 1, Section 3.1.8, Measure CR-1	No	Prior to Construction and During Construction	City of Bakersfield Environmental Manager, Cultural Resources Specialist, and Caltrans Environmental Specialist	Implement measures identified in Rancho Vista Historic District.	Less Than Significant with Mitigation			
CR-2	Mitigation: The city of Bakersfield will place the content created above onto a city-maintained public website prior to construction and within two years of execution of the Memorandum of Agreement and maintain the website through construction of the project and/or minimum of 5 years, whichever is longer.	Final environmental document Volume 1, Section 3.1.8, Measure CR-2	No	Prior to Construction and During Construction	City of Bakersfield Environmental Manager, Cultural Resources Specialist, and Caltrans Environmental Specialist	Implement measures identified in Rancho Vista Historic District.	Less Than Significant with Mitigation			
CR-3	Mitigation: The city, in consultation with Caltrans, will incorporate hardscape and landscape features compatible with the character of the Rancho Vista Historic District, including color and texture. The city will provide landscape plans to the Caltrans District 6 architectural historian during the design phase for review and approval. Should Caltrans District 6 and the city fail to agree on the appropriateness of the proposed landscaping plan; Caltrans District 6 will submit a summary of the disagreement to the State Historic Preservation Officer and Cultural Studies Office for a 30-day comment period. Caltrans District 6 and the city will consider all comments received prior to finalizing the landscape plans and provide a written response to the Cultural Studies Office and State Historic Preservation Officer within 14 days. If the parties cannot	Final environmental document Volume 1, Section 3.1.8, Measure CR-3	No	Prior to Construction and During Construction	City of Bakersfield Environmental Manager, Cultural Resources Specialist, and Caltrans Environmental Specialist	Implement measures identified in Rancho Vista Historic District.	Less Than Significant with Mitigation			

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	resolve the dispute regarding landscape plans, continued resolution will proceed in accordance with Stipulation V.C of the Agreement.									
Hydrology and Floodplain										
SC-FP-1	Standard Condition: The following measures will be incorporated into project design to minimize flood flow impacts on the Kern River: <div><div>1.</div><div>Project design elements will include incorporation of bridge piers and abutments that are parallel to the direction of water flow to minimize flow obstruction.</div><div>2.</div><div>Pier placement will be optimized to align the piers with existing piers in the Kern River.</div><div>3.</div><div>Bridge abutments will be located outside of or as close to the limits of the floodplain as possible to minimize the reduction of conveyance capacity of the Kern River.</div><div>4.</div><div>Bridges will be designed with sufficient freeboard above the 100-year flood water surface elevation to prevent the bridge deck from affecting flood flows.</div></div>	Final environmental document Volume 1, Section 3.2.1, Standard Condition SC-FP-1	No	Final Design	Caltrans Project Engineer (Oversight) and City of Bakersfield Project Engineer	Incorporate identified measures to minimize flood flow impacts on the Kern River.	No Impact			
Water Quality and Storm Water Runoff										
WQ-1	Minimization: Disturbed soil areas and slopes would be stabilized with permanent landscaping and/or permanent erosion-control measures as part of the Design Pollution Prevention best management practices in Caltrans' Storm Water Management Plan. In addition, velocity dissipation devices would be used in design to reduce erosion potential. Standard best management practices would maintain runoff patterns, volumes, and velocities, and would prevent erosion, channel scouring, and sediment deposition. Standard best management practices include the following: <div><div>•</div><div>Consideration of downstream effects (such as flow rate and pollutant concentration) related to potentially increased flow, including peak-flow attenuation devices, reduction of paved surface, soil modification, and energy dissipation devices.</div><div>•</div><div>Preservation of existing vegetation</div><div>•</div><div>Concentrated flow conveyance systems (ditches, berms, dikes, and swales, overside drains, downdrains, paved spillways, channel linings, flared culvert end sections, outlet protection/velocity dissipation devices)</div><div>•</div><div>Slope/Surface protection systems (specifically, vegetated surfaces, benching/terracing, slope rounding, reduce gradients, hard surfaces).</div></div>	Final environmental document Volume 1, Section 3.2.2	Yes	Prior to Construction, During Construction	Contractor Quality Stormwater Developer/Specialist and Resident Engineer	Implement identified best management practices to minimize erosion.	Less Than Significant Impact			
Hazardous Waste or Materials										
H-1	Mitigation: Special provisions shall be included in the construction contract. Contractors will be required to prepare and work under a Health and Safety Contingency Plan(s), which will address worker safety when working with potentially hazardous materials including asbestos, lead-based paint, aerially deposited lead and/or other construction-related materials within the project right-of-way. Asbestos-containing materials sampling and analysis of buildings subject to demolition will be done by the contractor, as needed, prior to demolition and the statement of work will be included in the specifications.	Final environmental document Volume 1, Section 3.2.5, Measure H-1	Yes	Prior to Construction	Caltrans Environmental (Oversight), City of Bakersfield Design Engineer, and Contractor Resident Engineer	Include Health and Safety Contingency Plan(s) and associated requirements in construction contract and specifications.	Less Than Significant with Mitigation			
H-2	Minimization: A Soil Management Plan and Health and Safety Plan shall be developed by the contractor for approval by Caltrans, based on the results of soil investigation presented in the Preliminary Site Investigation, to ensure that soil excavated during the project construction which is impacted by metals or petroleum hydrocarbons	Final environmental document Volume 1, Section 3.2.5, Measure H-2	Yes	Prior to Construction	Caltrans Environmental (Oversight), City of Bakersfield Design Engineer, and Contractor Resident	Contractor must develop Health Safety Contingency Plan(s) based on the results of soil	Less Than Significant Impact			

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	is handled, stockpiled, and disposed of in accordance with federal, state, and local regulations. The Soil Management Plan will also establish Reuse Screening Levels for the excavated soils with contaminant concentrations below the Reuse Screening Levels, which may be reused during construction projects on the right-of-way, while soils with contaminant concentrations exceeding the Reuse Screening Levels will need to be managed as hazardous wastes and disposed of at a Class I landfill.				Engineer	investigation.				
H-3	Minimization: Prior to any soil disturbance at the former Tosco Coke Pile (Assessor's Parcel Number 502-010-12), the Department of Toxic Substances Control shall be properly notified.	Final environmental document Volume 1, Section 3.2.5, Measure H-3	Yes	Prior to Construction	Contractor Resident Engineer	Notify DTSC prior to disturbance at APN 502-010-12.	Less Than Significant Impact			
H-4	Minimization: Provide written notification to the California Occupational Safety and Health Administration and California Department of Public Health should the construction activities involve removal of more than 100 square or linear feet of lead-based paint containing materials, in accordance with the requirements of Title 8 of the California Code of Regulations, Section 1532.1. In addition, waste characterization and disposal of lead-containing materials and lead contaminated debris shall be conducted in accordance with Title 22 of the California Code of Regulations and the California Health and Safety Code, Section 25157.8.	Final environmental document Volume 1, Section 3.2.5, Measure H-4	Yes	Prior to Construction	Contractor Resident Engineer	Notify appropriate agencies if activities involve removal of more than 100 square feet of lead-based paint containing materials.	Less Than Significant Impact			
H-5	Mitigation: Removal and/or disturbance of asbestos-containing construction materials must be conducted by a California Occupational Safety and Health Administration-registered and State licensed asbestos removal contractor. Asbestos-containing construction materials must be removed prior to any construction activities that will impact these materials. Disturbance and/or abatement operations should be performed under the direct observation of a California Certified Asbestos Consultant. At no time shall the identified asbestos-containing construction materials be drilled, cut, sanded, scraped or otherwise disturbed by untrained personnel. Construction activities involving the potential for impacting asbestos-containing construction materials shall be conducted in accordance with the requirements of Title 8 of the California Code of Regulations, Section 1529. Written notification shall be made to the California Occupational Safety and Health Administration at least 24 hours prior to the initiation of any construction activities that involve asbestos-related work of at least 100 square or linear feet. National Emission Standards for Hazardous Air Pollutants Notification to the San Joaquin Valley Air Pollution Control District will be made 10 days prior to beginning construction activities (modifications or demolitions). Notification to employees and contractors working on any bridge or structure with asbestos-containing construction materials shall be made in accordance with the California Health and Safety Code, Section 25915 and Proposition 65.	Final environmental document Volume 1, Section 3.2.5, Measure H-5	Yes	Prior to Construction	Contractor Resident Engineer and State Licensed Asbestos Removal Contractor	Asbestos-containing construction materials must be removed by identified personnel prior to any construction activities that will impact these materials. Notify applicable agencies at least 24 hours prior asbestos-related work of at least 100 square or linear feet.	Less Than Significant with Mitigation			
Air Quality										
VERA	Minimization: Implement the Voluntary Emission Reduction Agreement entered into as of November 13, 2014 between Caltrans and the San Joaquin Valley Air Pollution Control District.	Final environmental document Volume 2, Appendix L	No	Implement air quality improvements during or after the construction of the project.	Caltrans Project Manager (Oversight) and City of Bakersfield Project Manager (Implementation)	Implement Voluntary Emission Reduction Agreement.	Less Than Significant Impact			
Noise										
N-1	Abatement: Based on the studies completed, Caltrans intends to incorporate noise abatement in the form of sound walls that meet the criteria for reasonableness and feasibility. The recommended sound	Final environmental document Volume 1, Section 3.2.7,	No	Final Design, Construction	Caltrans Environmental (Oversight), City of Bakersfield	Incorporate approved noise abatement.	Significant Impact			

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	walls would reduce the traffic noise levels by at least 5 decibels at the impacted receivers, would meet the design goal by providing a 7 decibel reduction for at least one receiver, and would cost less than the reasonableness cost allowance. If during final design, conditions have substantially changed, noise abatement may not be necessary. The final decision of the noise abatement will be made upon completion of the project design and the public involvement processes. During the circulation of the draft environmental document, sound wall surveys were conducted with all property owners and residents of benefited receptors located within the footprint of Alternative B (Preferred Alternative). If more than 50 percent of the responding benefitted receptors oppose the sound wall, then the sound wall would not be constructed. Less than 50 percent of responding property owners and residents did not oppose the construction of any of the sound walls. Therefore, all 25 sound walls will be constructed.	Measure N-1			Design Engineer and Contractor Resident Engineer					
Wetlands and Other Waters										
B-1	Mitigation: Prior to initiation of construction, Caltrans shall coordinate with and obtain necessary permits from the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and Regional Water Quality Control Board regarding compensation for impact to jurisdictional habitat. The mitigation approach will be negotiated with the resource agencies and will consist of one or a combination of the following: 1) purchase of credits at a jurisdictional waters mitigation bank; 2) enhancement of jurisdictional waters; 3) restoration of jurisdictional waters; or 4) purchase of existing jurisdictional waters and placing a conservation easement over them.	Final environmental document Volume 1, Section 3.3.2, Measure B-1	No	Prior to Construction	Caltrans Biologist (coordination) and City of Bakersfield Environmental Manager (Implementation)	Obtain necessary permits regarding jurisdictional habitat prior to construction.	Less Than Significant with Mitigation			
Threatened and Endangered Species										
B-3	Mitigation: Special Status Plant Species: Prior to project groundbreaking, a U.S. Fish and Wildlife Service-approved biologist(s) shall conduct updated protocol-level botanical surveys within the project footprint during the appropriate blooming periods for the following four species: the California jewelflower, the Kern mallow, the San Joaquin woollythreads, and the Bakersfield cactus. Surveys shall be conducted in accordance with the most current protocols accepted by the U.S. Fish and Wildlife Service. To the greatest extent practicable, efforts shall be made to avoid these species during project design. If one of these species is observed within the impact area at Stockdale Highway and State Route 43 and it cannot be avoided, Caltrans shall initiate formal consultation on those plants with the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife to determine any appropriate conservation measures for those species. The mitigation shall include payment to an in-lieu fee program; preservation or enhancement of occupied habitat for the species; or collection of seed within the impact area and planting within a mitigation site with the appropriate microhabitat for this species. A detailed mitigation and monitoring program shall be prepared by a qualified biologist and approved by the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife.	Final environmental document Volume 1, Section 3.3.5, Measure B-3	No	Prior to Construction	Caltrans Biologist (Oversight) and U.S. Fish and Wildlife Service-Approved Biologist	Qualified biologist to prepare mitigation and monitoring program, and complete botanical surveys prior to construction.	Less Than Significant with Mitigation			
B-4	Mitigation: <i>San Joaquin kit fox</i> : Measures have been developed from standard recommendations described in the <i>USFWS Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance</i> (USFWS 2011b),), Biological Opinion Service file number 08ESMF00-2013-F-0373 (December 20, 2013), 08ESMF00-2013-F-0373-R001 (February 24,	Final environmental document Volume 1, Section 3.3.5, Measure B-4	Yes	Design, During Construction	Caltrans Biologist (Oversight), City of Bakersfield Project Engineer/Environmental Manager, and Contractor Resident	Incorporate and implement required San Joaquin Kit Fox measures, per the USFWS requirements and	Less Than Significant with Mitigation			

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	<p>2015 and amended on July 30, 2015). In addition, project design changes have been identified to reduce impacts on the kit fox and have been incorporated into the design plans for the project. The main objective of project design changes is to maintain opportunities for kit foxes to cross over the road surface while reducing the potential for unintentional vehicle strikes. Construction of the new roadway would also incorporate several features to allow continued kit fox movement, including maintaining existing movement corridors along existing linear habitat features. These features include:</p> <ul style="list-style-type: none">• Permeable fencing shall be installed along the proposed right-of-way in all areas where there is known San Joaquin kit fox activity and lower traffic speeds/volumes. Permanent exclusionary fencing shall be installed along the proposed right-of-way in high-density residential areas and/or in areas with higher traffic speeds/volumes. In areas in need of new permeable fencing, at least one design option featured below shall be adopted to provide the San Joaquin kit fox with passage and movement opportunities, and to minimize the potential to disrupt species movement and habitat fragmentation of the project area: (1) elevate the bottom of the fence 5 inches above ground to allow unobstructed movement by San Joaquin kit fox under the fence; (2) install ground-level 8-inch by 8-inch-wide gaps 100 feet apart along the length of the fence to allow for San Joaquin kit fox movement at regular intervals along the right-of-way; and (3) install fencing with a minimum mesh size of 3½ by 7 inches, preferably 5 by 12 inches, to allow unlimited movement through the fence.• Curbed medians shall be used as part of the project design and their height shall be no greater than ten inches. Either 6-inch-high curbed medians with low vegetation (that is, less than 6 inches) or 10-inch-high unvegetated curbed medians shall be constructed so as not to obstruct the visual field of the San Joaquin kit fox near the roadway. Curbed medians less than 10 inches in height and which require landscaping shall be planted with low-level vegetation (i.e., less than 6 inches tall at maturity), or be mowed frequently to prevent overgrowth and provide an unobstructed line of sight for the species, or shall have gaps installed measuring no less than 4-feet-wide every 12 feet in areas landscaped with trees and shrubs. If required, landscaping shall be designed in conjunction with the curbed median design in order to allow unobstructed visibility to the San Joaquin kit fox and to maintain and/or enhance opportunities for movement across the roadway.• Median barriers will be required in some areas of the project for the purpose of public safety. Additionally, reinitiated Biological Opinion 08ESMF00-2013-F-0373-R001 was issued by the Fish & Wildlife Service on February 24, 2015 and amended on July 30, 2015. Reinitiated Biological Opinion 08ESMF00-2013-F-0373-R001 (July 30, 2015) removes the requirement to install modified k-rail barrier on State Route 58 from post mile R52.3 to post mile R55.4 and on State Route 99 from post mile 22.1 to post mile 22.7. In other portions of the project, the Caltrans-designed modified median barrier type 60/S shall be used. Caltrans type 60/S design previously has been utilized in other projects (e.g., reinitiated Biological Opinion for the State Route 99 Goshen to Kingsburg 6-Lane Project, in Tulare and Fresno Counties; Service File number 81420-2009-F-0752) and includes 8-inch radius openings (semi-circular openings 8				Engineer	updated Biological Opinion.				

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	<p>inches high by 18 inches) spaced every 140-150 feet to allow passage by the San Joaquin kit fox. Maintaining permeability in this manner shall also reduce the potential to disrupt species movement and connectivity in the project area. During final design, Caltrans will verify the distance between k-rail barriers, diameter of hole cases, and dimensions of concrete wildlife passageways, known as Type L passageways, to minimize the effects to the San Joaquin kit fox.</p> <ul style="list-style-type: none">• No less than 30 but no more than 60 days prior to road construction, a U.S. Fish and Wildlife Service-approved biologist(s) shall conduct pre-construction surveys for San Joaquin kit fox dens both in the project footprint and within 200 feet of the footprint (project footprint plus temporary construction zone), inclusive of any utilities relocations. A report and map of known and potential kit fox dens shall be submitted to the U.S. Fish and Wildlife Service prior to the start of ground disturbance and/or construction activities. Repeat clearance surveys shall be conducted no more than 14 days before construction or after any delays in construction of over 2 weeks. Any new known or potential San Joaquin kit fox dens identified in the interim shall be reported to the U.S. Fish and Wildlife Service in a report and map. If no new known or potential San Joaquin kit fox dens are identified, an internal record shall be maintained that includes the survey date, the designated biologist conducting the survey, and the general survey findings. The records will be submitted to the U.S. Fish and Wildlife Service upon request.• Disturbance to all San Joaquin kit fox dens shall be avoided to the maximum extent possible. If known or potential dens are identified within the project footprint during 60-day and/or 14-day pre-construction surveys, Caltrans shall request to monitor and excavate those dens that are expected to be affected directly by the project and cannot be avoided. Active dens shall not be excavated during the natal season (January 1–June 30). The U.S. Fish and Wildlife Service-approved biologist(s) shall monitor potential dens for three consecutive nights using tracking medium and/or a remote sensor camera, shall submit monitoring results in a report to the U.S. Fish and Wildlife Service, and also shall oversee the hand excavation of dens that have been determined to be vacant following approval by the U.S. Fish and Wildlife Service. The U.S. Fish and Wildlife Service-approved biologist(s) also shall submit results of the den excavation and exclusion activities in a report to the agencies. The following measures shall be applied to dens that are not excavated:<ul style="list-style-type: none">○ Dens that are identified during pre-construction surveys of the project footprint boundary and a 200-foot area outside of the project footprint shall be monitored and protected by an exclusion zone around dens, as measured outward from the entrance or cluster of entrances of each den. Potential and atypical dens within 50 feet of the project footprint shall be protected with a 50-foot zone delineated by flagged stakes. Known dens within 100 feet of the project footprint shall be protected with a 100-foot zone. To ensure protection, the exclusion zone shall be demarcated by fencing/flagging that does not prevent access to the den by the San Joaquin kit fox. Acceptable designs shall have openings for San Joaquin kit fox ingress/egress but shall keep humans and equipment out,									

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	<p>e.g., wooden posts connected with caution tape; orange construction cones; orange construction fencing with a mesh size less than 2 inches in diameter (to prevent the San Joaquin kit fox from becoming entangled in the fencing) with gaps every 50 feet. Fencing/flagging shall be maintained until all construction-related disturbances have been terminated. At that time, all fencing/flagging shall be removed to avoid attracting subsequent attention at the dens.</p> <ul style="list-style-type: none">○ If natal/pupping dens are discovered either within the project footprint or within 200 feet of the project footprint, Caltrans shall immediately notify the U.S. Fish and Wildlife Service.• The U.S. Fish and Wildlife Service-approved biologist(s) shall conduct a worker environmental awareness program for all construction crews prior to ground disturbing activities, with the purpose of informing all crew members of the potential for the San Joaquin kit fox to occur on site, the effects on the species from construction activities, how to minimize effects to the species, and the penalties for non-exempted take. The training shall include, at a minimum (1) special-status species identification and a description of suitable habitat for the species; (2) avoidance of environmentally sensitive areas; and (3) measures to implement in the event that this species is found during construction. The training shall be repeated to all new crew members working in San Joaquin kit fox habitat. Crew members shall sign an attendance sheet and confirm that they understand the protection measures and construction restrictions. Training materials and records of attendees shall be submitted to the U.S. Fish and Wildlife Service.• The U.S. Fish and Wildlife Service-approved biologist(s) shall monitor road construction on a daily basis and shall verify that construction complies with the measures laid out in the Biological Opinion (Service file numbers 08ESMF00-2013-F-0373-R001 and 08ESMF00-2013-F-0373). The U.S. Fish and Wildlife Service-approved biologist(s) shall maintain a log of daily monitoring notes that can be summarized and transmitted to the U.S. Fish and Wildlife Service by request.• Upon completion of project construction, all areas subject to temporary ground disturbance, including storage and staging areas, shall be restored to original grade and contour. Appropriate methods and plant species used to revegetate shall be determined on a site-specific basis in consultation with revegetation experts.• To minimize opportunistic predatory effects to the San Joaquin kit fox, the city and Caltrans shall condition contracts with contractors to require that trash be removed at least once daily from project areas and disposed of offsite so as not to attract predator species like coyotes (<i>Canis latrans</i>) and bobcats (<i>Lynx rufus</i>) to the project area.• The city and Caltrans shall condition contracts with contractors to require that contained water sources, which are inaccessible to the San Joaquin kit fox (e.g., elevated water trucks), be used for dust control and other construction water activities.• The U.S. Fish and Wildlife Service-approved biologist shall meet weekly with the resident engineer and contractor to review the week's upcoming ground-disturbing activities, including any									

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	<p>possible changes from the project as analyzed in the Biological Opinion (Service file numbers 08ESMF00-2013-F-0373 [December 20, 2013] and 08ESMF00-2013-F-0373-R001 [February 24, 2015 and amended on July 30, 2015]) and the avoidance and minimization measures. These meetings shall be documented and reported to Caltrans every two weeks, Caltrans will in turn report to the U.S. Fish and Wildlife Service every two weeks. Should the incidental take exceed the amount agreed upon in the Biological Opinion (Service file numbers 08ESMF00-2013-F-0373-R001 and 08ESMF00-2013-F-0373), Caltrans must immediately reinstitute formal consultation.</p> <ul style="list-style-type: none">• If incidental take in the form of harassment, harm, injury, or death is likely, Caltrans shall immediately contact the U.S. Fish and Wildlife Service to report the encounter. If an injured or dead individual of a listed species is found, Caltrans shall follow the steps outlined in the <i>Salvage and Disposition of Individuals</i> section of the Biological Opinion (08ESMF00-2013-F-0373 [December 20, 2013] and 08ESMF00-2013-F-0373-R001 [February 24, 2015 and amended on July 30, 2015]).• A post-construction report detailing compliance with the project design criteria and proposed conservation measures shall be provided to the U.S. Fish and Wildlife Service within 60 calendar days of completion of the project. The report shall include: (1) dates of project groundbreaking and completion; (2) pertinent information concerning success of the project in meeting the conservation measures; (3) an explanation of failure to meet such measures, if any; (4) known project effects on San Joaquin kit fox, if any; (5) observed instances of injury to or mortality of the San Joaquin kit fox, if any; (6) the number of dens lost, if any; and (7) any other pertinent information. Any new sightings of the San Joaquin kit fox or its dens shall be reported to the California Natural Diversity Database.• In areas of known San Joaquin kit fox activity and high traffic volumes and/or speeds, existing San Joaquin kit fox movement corridors like the canal channels and the Kern River, as well as railroad right-of-ways (e.g., BNSF), shall be preserved through the use of bridges and/or culverts to facilitate crossings. Some segments of the canals under the new roadways shall be converted from trapezoidal channels to box culverts; other segments of the canals with existing box culverts shall be extended. Toe-of-road fill and bridge support walls shall be maintained and new walls will be designed no less than 20 feet from the centerlines of canal access roads and railroad.<ul style="list-style-type: none">○ An elevated bridge currently exists where the Westside Parkway crosses the trapezoidal channel of the Friant-Kern Canal. Species access will continue to be provided along an elevated access road located parallel to the canal.○ An above-grade bridge will be constructed over the trapezoidal channel of the Stine Canal. This will allow the species to move freely below the roadway.○ An above-grade bridge (westbound Mohawk Street off-ramp) will be constructed over the Cross Valley Canal, which exists as a double box culvert. The Kern River corridor is located proximate to the canal and so it provides existing access for the species in the area; no additional crossing features are proposed at this canal									

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	<p>site.</p> <ul style="list-style-type: none">Two design options are proposed for the location where the new roadway will cross the Carrier Canal: (1) box culvert – if this design is chosen, a crossing structure (with proposed 5 x 5-inch mesh size and 10-inch diameter escape pipes within a 60-inch diameter crossing culvert) will be installed to connect the access roads on the north side of the canal; (2) bridge – if this design is chosen, no additional crossing features will be necessary since the elevated bridge above the trapezoidal canal will allow the species to move freely below the roadway. <ul style="list-style-type: none">Caltrans shall verify that the city compensates for the permanent loss of 10.26 acres and temporary disturbance to 67.86 acres of habitat consisting of non-native grassland, riparian woodland/Great Valley cottonwood riparian forest, ruderal/disturbed areas, desiccated waterways, detention basins, and agricultural land suitable for the San Joaquin kit fox by purchasing 105.43 acres (using a 3:1 compensation ratio for permanent effects and 1.1:1 compensation ratio for temporary effects) through the Metropolitan Bakersfield Habitat Conservation Plan. Prior to construction, the limits of affected habitat acreage by vegetation type shall be verified and delineated on a map, and submitted for approval to the U.S. Fish and Wildlife Service. This shall be done prior to its submittal to the city Planning Department for fee payment. <p>According to the Biological Opinion 08ESMF00-2013-F-0373-R001 (February 24, 2015), Avoidance and Minimization Measures to minimize the effects on San Joaquin Kit Fox from the installation of k-rail on-site included:</p> <ul style="list-style-type: none">Caltrans will install modified k-rail barriers that facilitate San Joaquin kit fox movement and passage across the roadways. Openings in the barriers will be spaced every seven segments of the k-rail; segments are 20-ft long, so intervals will be spaced approximately every 140-150 feet. One or a combination of two design options will be implemented. Designs include:<ul style="list-style-type: none">A Modified Type K segment may include a minimum 8-inch diameter hole cast or bored into a typical rail segment;A Type L passageway that off-sets a segment of k-rail via a gap measuring between 8-inches and 5-feet.Caltrans acknowledges that the aforementioned designs are only temporary solutions for addressing the issues of roadway permeability and wildlife passage; over the long-term. Additionally, modified k-rail will be used for portions of the project. Reinitiated Biological Opinion 08ESMF00-2013-F-0373-R001 was issued by the Fish & Wildlife Service on February 24, 2015 and amended on July 30, 2015. Reinitiated Biological Opinion 08ESMF00-2013-F-0373-R001 (July 20, 2015) removes the requirement to install modified k-rail barrier on State Route 58 from post mile R52.3 to post mile R55.4 and on State Route 99 from post mile 22.1 to post mile 22.7. <p>During final design, Caltrans will verify the distance between k-rail barriers, diameter of hole case, and dimensions of Type L passageway, to minimize the effects to the San Joaquin kit fox.</p> <p>Caltrans will commit to conducting crash-test and safety studies on alternative design options in order to provide the most effective</p>									

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	<p>solutions for addressing San Joaquin kit fox movement across the roadscape.</p> <p>Project design changes, when implemented together, are expected to reduce the potential for adverse effects on the kit fox. Project design shall be re-evaluated and adjusted as appropriate during the final project design phase and, if changes are made, plans shall be submitted for review and approval to the U.S. Fish and Wildlife Service.</p> <ul style="list-style-type: none">Caltrans shall include Species Provisions that include avoidance and minimization measures of the Biological Opinion (Service file numbers 08ESMF00-2013-F-373 [December 20, 2013] and 08ESMF00-2013-F-0373-R001 [February 24, 2015 and amended on July 30, 2015), when soliciting contractor bid packages.									
Cumulative Impacts										
CUM-1	<p>Mitigation: The basic conceptual framework for the Sump Habitat Program is described in the September 2010 Draft Sump Habitat Program Plan, which addresses five core conservation goals in detail that are integral to the implementation and success of the Sump Habitat Program: 1) the selection of sumps that maintain San Joaquin kit fox accessibility and/or habitat (i.e., those of high/medium conservation priority based on the relative potential for minimizing program-level effects); 2) the installation and maintenance of San Joaquin kit fox enhancement features (i.e., fence/gate gaps, artificial dens, conservation zones, signs, and enhancement maintenance and repair); 3) the management of sump vegetation compatible with San Joaquin kit fox presence and/or use (i.e., performance of routine maintenance outside the San Joaquin kit fox natal season and the use of hand tools in conservation zones and new active dens); 4) the biological monitoring and reporting of results (i.e., pre-maintenance surveys; den monitoring and supervised den excavation; environmental awareness training; maintenance monitoring; annual enhancement inspection; annual San Joaquin kit fox sump use monitoring; and annual reporting); and 5) the provision of long-term conservation assurances (i.e., individual conservation easements for each sump; a perpetual non-wasting endowment for management, maintenance, and monitoring costs associated with ongoing implementation; and a Service-approved Long-Term Management Plan. The proposed easement and endowment holder(s) will be Service-approved third-party organizations). Further details in regards to these five core measures can be found in the Draft Sump Habitat Program Plan.</p> <p>a. The Sump Habitat Program will continue to be updated, refined, and ultimately finalized through an ongoing collaborative consultation process involving Caltrans, the city of Bakersfield, Parsons/Thomas Roads Improvement Program, and the Service over the course of the final remaining Thomas Roads Improvement Program project.</p> <p>b. The finalized Sump Habitat Program will be established and implemented within one year of the approval of the final environmental document for the last of the six Thomas Roads Improvement Program projects; the city of Bakersfield will fully fund the Sump Habitat Program within one year of this approval. Caltrans and the city of Bakersfield will share responsibility for the Sump Habitat Program; Caltrans will adhere to the proposed avoidance and minimization measures and terms and conditions of this Biological Opinion (Service file number 08ESMF00-2013-</p>	Final environmental document Volume 1, Section 3.7, Measure CUM-1	No	Prior to Construction and During Construction	Caltrans Environmental Manager, City of Bakersfield Project Manager, and Environmental Manager	Implement Sump Habitat Program during all project development and construction activities.	Less Than Significant with Mitigation			

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	F-0373-R001) and will be responsible for the overall implementation of the Sump Habitat Program, while the city of Bakersfield will be responsible for enhancing sumps and conducting long term management of the Sump Habitat Program. A Service-approved third-party will be responsible for administering endowment funds and providing compliance oversight with the terms of the conservation easements for each sump in the Sump Habitat Program.									
Construction Impacts										
SC-CI-1	Community Impacts – Standard Conditions: To the extent practical, street closures required during construction shall be scheduled to occur during nighttime hours. This requirement will be addressed in the Traffic Management Plan to be prepared during the final design phase of project development.	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-1	Yes	During Construction, Final Design	City of Bakersfield Traffic Engineer and Contractor Resident Engineer	Schedule street closures during nighttime hours.	No Impact			
SC-CI-2	Community Impacts – Standard Conditions: To the extent practical, the contractor shall avoid blocking or limiting access to businesses during construction during normal business hours. Businesses will be contacted and advised of nearby construction activities before their start.	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-2	Yes	During Construction	Contractor Resident Engineer and Public Outreach	Contractor to avoid limiting access to businesses during business hours.	No Impact			
SC-CI-3	Community Impacts – Standard Conditions: Caltrans shall notify emergency service providers, such as fire, police, and ambulance services in advance of construction of the timing, location, and duration of construction activities and the locations of detours and lane closures.	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-3	No	Prior to Construction	City of Bakersfield Public Outreach	Notify emergency providers of construction time, location, and duration.	Less Than Significant with Mitigation			
SC-CI-4	Community Impacts – Standard Conditions: During the final design phase, the city of Bakersfield and Caltrans in coordination with affected facility owners or operators shall develop and implement access plans for highly sensitive land uses such as police and fire stations, transit stations, hospitals, and schools.	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-4	No	Final Design	Caltrans Project Manager and City of Bakersfield Project Manager	Develop access plans.	Less Than Significant with Mitigation			
SC-CI-5	Utilities and Emergency Services – Standard Conditions: Caltrans and the city of Bakersfield shall coordinate with all affected private and public service utilities in advance of the construction. Per Caltrans requirements, all linear underground utilities within Caltrans’ right-of-way will be encased from right-of-way to right-of-way in either steel or concrete.	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-5	No	During right-of-way acquisition process	Caltrans Project Engineer (Oversight) and City of Bakersfield Project Engineer	Coordinate with all affected private and public service utilities regarding ROW.	No Impact			
SC-CI-6	Utilities and Emergency Services – Standard Conditions: In accordance with the requirements in the California Code of Regulations, prior to the initiation of construction, the contractor shall coordinate and notify the operators of underground or overhead utility and service lines prior to any excavation activities. This coordination would avoid damage to existing utility lines and would limit disruption to existing utility services to the existing developments near the proposed alignments.	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-6	Yes	Prior to Construction	Contractor -Utility Coordinator/Resident Engineer	Coordinate and notify operators of underground and overhead utility lines prior to activities.	No Impact			
SC-CI-7	Utilities and Emergency Services – Standard Conditions: The contractor shall conduct construction activities in accordance with the approved Traffic Management Plan for the project and Caltrans’ Manual of Uniform Traffic Control Devices to reduce impacts to emergency services and response. Coordination of roadway closures with appropriate emergency services would be addressed in the Transportation Management Plan.	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-7	Yes	During Construction	Contractor Traffic Engineer and Resident Engineer	Contractor conduct construction activities according to Traffic Management Plan to reduce impact to emergency services.	No Impact			
SC-CI-8	Traffic and Transportation/Pedestrian and Bicycle Facilities – Standard Condition: Caltrans shall require the design team to develop a Traffic Management Plan to offset the effects of access restrictions and traffic congestion during construction of the freeway, ramps, and on local streets. The Traffic Management Plan will consider methods such as adjustment of signal timing and/or signal	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-8	No	Prior to Construction	Caltrans Project Engineer (Oversight) and City of Bakersfield Project Engineer	Develop Traffic Management Plan.	No Impact			

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	coordination to increase roadway efficiency; turn restrictions at intersections and roadways necessary to reduce congestion and improve safety; and parking restrictions on detour routes during work hours to increase capacity, reduce traffic conflicts, and improve access. The Traffic Management Plan will include a traffic contingency plan with procedures to be implemented for possible unforeseen circumstances and emergencies.									
SC-CI-9	Traffic and Transportation/Pedestrian and Bicycle Facilities – Standard Conditions: Caltrans shall require the contractor to provide motorist alert and awareness information during construction, as appropriate for the conditions, to include the following options: changeable message signs, stationary ground-mounted signs, traffic radio announcements, and the Caltrans Highway Information Network.	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-9	Yes	During Construction	Caltrans Project Manager (Oversight) and Contractor Public Outreach	Provide motorist alert and awareness information.	No Impact			
SC-CI-10	Traffic and Transportation/Pedestrian and Bicycle Facilities – Standard Conditions: Caltrans, in coordination with the city of Bakersfield, shall coordinate with Golden Empire Transit and other affected transit providers to request and comply with applicable procedures for any required temporary bus stop relocations or other disruptions to transit service during construction.	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-10	No	Prior to Construction, Construction	Caltrans Project Manager and City of Bakersfield Project Manager	Coordinate with affected transit providers regarding applicable procedures.	No Impact			
SC-CI-11	Cultural Resources – Standard Conditions: In accordance with Caltrans standard specifications, if cultural materials are discovered during construction, all earth-moving activities within and around the immediate discovery area will be diverted until a qualified archaeologist can assess the nature and significance of the find. If human remains are discovered, Section 7050.5 of the State Health and Safety Code states that further disturbances and activities shall stop in any area or nearby area suspected to overlie remains, and the county coroner shall be contacted. Pursuant to Section 5097.98 of the Public Resources Code, if the remains are thought to be Native American, the coroner will notify the Resident Engineer and the Native American Heritage Commission, who will then notify the Most Likely Descendent. At this time, the Resident Engineer will contact the District 6 Environmental Branch so that staff may work with the Most Likely Descendent on the respectful treatment and disposition of the remains. Further provisions of Section 5097.98 of the Public Resources Code are to be followed as applicable.	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-11	Yes	During Construction	Caltrans Cultural Staff (Coordination) and Contractor Resident Engineer/Environmental Manager	Divert all earth moving activities if cultural materials and/or human remains discovered until qualified assessment made.	Less Than Significant with Mitigation			
SC-CI-12	Cultural Resources – Standard Conditions: It is Caltrans' policy to avoid cultural resources whenever possible. Further investigation may be needed if resources cannot be avoided by the project. Additional survey(s) will be required if the project changes to include areas not previously surveyed.	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-12	No	During Construction	Caltrans Cultural Staff (Coordination), Contractor Resident Engineer, and Cultural Field Specialist	Investigate cultural resources that can be avoided. Additional surveys needed if project changes.	Less Than Significant with Mitigation			
CI-1/ NA-1-1	Cultural Resources – Mitigation: If cultural resources are discovered at the job site, all work activities shall stop within a 60-foot radius of the discovery, the discovery area shall be protected, and the Resident Engineer shall be notified. Cultural resources shall not be moved or taken from the job site until Caltrans investigates and determines the significance of the find. Work activities shall not resume within the discovery area until Caltrans provides written notification authorizing work activities to resume.	Final environmental document Volume 1, Section 3.6, Measure CI-1 and Volume 3, Chapter 8, NA-1-1	Yes	During Construction	Caltrans and Contractor Resident Engineer	Stop construction immediately if cultural resources are discovered.	Less Than Significant Impact			
SC-CI-13	Water Quality and Storm Water Runoff – Standard Conditions: The project shall conform to the requirements of the Caltrans' National Pollutant Discharge Elimination System Statewide Storm Water Permit (Order No. 2012-0011-DWQ, NPDES No. CAS000003), adopted by the State Water Resources Control Board on July 1, 2013, and any subsequent permit in effect at the time of	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-13	Yes	During Construction	Caltrans Construction Manager (Oversight) and, Contractor Resident Engineer	Conform to requirements of Caltrans' National Pollutant Discharge Elimination System Statewide Storm	No Impact			

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	construction.					Water Permit.				
SC-CI-13	Water Quality and Storm Water Runoff – Standard Conditions: The contractor shall comply with the requirements of the General National Pollutant Discharge Elimination System Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, NPDES No. CAS000002, as amended by 2010-0014-DWQ and 2012-0006-DWQ), also referred to as the Construction General Permit, as well as implementation of the best management practices specified in the Caltrans Storm Water Management Plan, to be prepared during the final design of the project.	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-13	Yes	During Construction	Caltrans Construction Manager (Oversight) and Contractor Resident Engineer	Comply with General National Pollutant Discharge Elimination System Permit for Storm Water Discharges.	No Impact			
SC-CI-14	Water Quality and Storm Water Runoff – Standard Conditions: The contractor shall develop an acceptable Storm Water Pollution Prevention Plan containing proven best management practices to minimize storm water pollution that have the potential to affect water quality. All construction site best management practices would follow the latest edition of the Storm Water Quality Handbooks and the Construction Site Best Management Practices Manual. In addition, the Storm Water Pollution Prevention Plan shall include implementation of specific stormwater effluent monitoring requirements based on the project’s risk level to ensure water quality standards are met.	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-14	Yes	Prior to Construction, Construction	Caltrans Construction Manager (Oversight) and Contractor Resident Engineer	Develop Storm Water Pollution Plan	No Impact			
SC-CI-15	Water Quality and Storm Water Runoff – Standard Conditions: During construction, when dewatering is required, the contractor shall fully conform to the requirements specified in Order No. R5-00-175 (CAG 995001), General Waste Discharge requirements for Discharges to Surface Water which Pose an Insignificant (De Minimus) Threat to Water Quality, from the Central Valley Regional Water Quality Control Board.	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-15	Yes	During Construction	Caltrans Construction Manager (Oversight) and Contractor Resident Engineer	Conform to requirements in General Waste Discharge requirements and Discharges to Surface Water.	No Impact			
SC-CI-16	Water Quality and Storm Water Runoff – Standard Conditions: The contractor shall comply with all requirements of the Section 404 Permit issued by the U.S. Army Corps of Engineers for the discharge of dredged or fill material into waters of the United States.	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-16	Yes	During Construction	Contractor Resident Engineer and Qualified Stormwater Developer/Practitioner	Comply with U.S. Army Corps of Engineers Section 404.	No Impact			
SC-CI-17	Water Quality and Storm Water Runoff – Standard Conditions: T The contractor shall comply with all requirements of the Section 401 Certification issued by the Regional Water Quality Control Board to ensure that all discharges comply with applicable federal and state effluent limitations and water quality standards.	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-17	Yes	During Construction	Caltrans Construction Manager (Oversight) and Contractor Resident Engineer	Comply with Regional Water Quality Control Board requirements.	No Impact			
SC-CI-18	Water Quality and Storm Water Runoff – Standard Conditions: The contractor shall comply with all requirements of the Streambed Alteration Agreement per Section 1602 of the California Fish and Game Code.	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-18	Yes	During Construction	Caltrans Construction Manager (Oversight) and Contractor Resident Engineer	Comply with Steambed Alteration Agreement.	No Impact			
CI-2	Paleontology – Mitigation: A Paleontological Mitigation Plan will be prepared prior to project construction. The plan would include the following mitigation measures: Specifications for paleontological mitigation shall be included in the construction contract special provisions section for this project to advise the construction contractor of the requirement to cooperate with the salvage of paleontological resources, particularly fossil remains and associated locality data.	Final environmental document Volume 1, Section 3.6, Measure CI-2	Yes	Prior to Construction	Caltrans environmental (Oversight), City of Bakersfield Environmental Manager, and Principal Paleontologist	Prepare Paleontological Mitigation Plan.	Less Than Significant with Mitigation			
CI-3	Paleontology – Mitigation: A principal paleontologist that meets the qualifications in Chapter 8 – Paleontology of the Caltrans Standard Environmental Reference shall prepare a detailed Paleontological Mitigation Plan before the start of construction. The paleontologist must have a Master of Science/Arts (M.S./M.A.) or Doctor of Philosophy (Ph.D.) degree in paleontology or geology and will be familiar with paleontological salvage or mitigation procedures and	Final environmental document Volume 1, Section 3.6, Measure CI-3	No	Prior to Construction	Principal Paleontologist, Caltrans environmental (Oversight), and City of Bakersfield Environmental Manager	Identify a qualified principal paleontologist per Chapter 8 of Caltrans Standard Environmental	Less Than Significant with Mitigation			

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	techniques. The Paleontological Mitigation Plan shall be certified by a California Professional Geologist.					Reference.				
CI-4	Paleontology – Mitigation: The city of Bakersfield will perform paleontological monitoring and salvage during construction-related excavation and other earth-moving activities. Within the boundaries of the project area, no earth-moving activity shall be allowed without written authorization of the Resident Engineer. The city of Bakersfield will provide a Paleontological Salvage Team consisting of a qualified Principal Paleontologist and Paleontological Monitors. The Resident Engineer will make arrangements for the Paleontological Salvage Team to be at the job site.	Final environmental document Volume 1, Section 3.6, Measure CI-4	Yes	During Construction	Caltrans environmental (Oversight), City of Bakersfield Environmental Manager, and Paleontological Salvage Team	Perform paleontological monitoring and salvage during all earth moving construction activities.	Less Than Significant with Mitigation			
CI-5	Paleontology – Mitigation: If unanticipated fossils are discovered in an area of the project site not being actively monitored, the remains shall not be disturbed. The Resident Engineer shall direct that all work within a 60-foot radius of the discovery be stopped and that the area be protected. The Resident Engineer, in consultation with the paleontologist, will investigate and modify the dimensions of the protected area, if necessary. Paleontological resources will not be removed from the project site without authorization. Work will not resume within the specified radius of the discovery until authorized by the Resident Engineer.	Final environmental document Volume 1, Section 3.6, Measure CI-5	Yes	During Construction	Contractor Resident Engineer, Caltrans Environmental (Oversight), City of Bakersfield Environmental Manager, and Principal Paleontologist	If unanticipated fossils are discovered, stop work within a 60-foot radius of the discovery.	Less Than Significant with Mitigation			
CI-6	Paleontology – Mitigation: The Paleontological Salvage Team will be notified 15 days in advance of the start of excavation or any other earth-moving activity.	Final environmental document Volume 1, Section 3.6, Measure CI-6	Yes	During Construction	Contractor Resident Engineer, Caltrans environmental (Oversight), City of Bakersfield Environmental Manager, and Paleontological Salvage Team	Notify Paleontological Salvage Team 15 days prior to excavation or earth-moving activity.	Less Than Significant with Mitigation			
CI-7	Paleontology – Mitigation: The construction contractor shall attend a pre-construction meeting with the Paleontological Salvage Team and the Resident Engineer to establish procedures for cooperation in the event fossil remains are encountered and to provide for worker safety during monitoring and salvage activities. The Principal Paleontologist and the Caltrans paleontology coordinator will be present at pre-grading meetings to consult with grading and excavation contractors.	Final environmental document Volume 1, Section 3.6, Measure CI-7	Yes	Prior to Construction	Contractor Resident Engineer, Caltrans environmental (Oversight), City of Bakersfield Environmental Manager, and Paleontological Salvage Team	Coordinate pre-construction meeting to establish procedures for cooperation in the event fossil remains are encountered.	Less Than Significant with Mitigation			
CI-8	Paleontology – Mitigation: Before any earth-moving activity, the Principal Paleontologist shall conduct an employee environmental awareness training session for all persons involved in that earth-moving activity.	Final environmental document Volume 1, Section 3.6, Measure CI-8	Yes	Prior to Construction	Contractor Resident Engineer, Caltrans environmental (Oversight), City of Bakersfield Environmental Manager, and Paleontological Salvage Team	Conduct an employee environmental awareness training session for all persons involved in that earth-moving activity.	Less Than Significant with Mitigation			
CI-9	Paleontology – Mitigation: Before the start of earth-moving activities, the Paleontological Salvage Team will conduct a pre-construction field survey of the project area, and any exposed fossil remains will be recovered. A qualified Paleontological Monitor, under the direction of the Principal Paleontologist, will be onsite to inspect cuts and debris piles to allow for the discovery and recovery of larger fossil remains. Monitoring will be conducted at all times during original grading in areas underlain by highly important rock units. If necessary, additional personnel will be assigned to recover an unusually large or numerous fossil occurrence.	Final environmental document Volume 1, Section 3.6, Measure CI-9	No	Prior to Construction	Contractor Resident Engineer, Caltrans environmental (Oversight), City of Bakersfield Environmental Manager, and Paleontological Salvage Team	Conduct pre-construction field survey and recover any exposed fossil remains.	Less Than Significant with Mitigation			

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CI-10	Paleontology – Mitigation: The Paleontological Salvage Team will salvage fossil remains exposed by excavation and other earth-moving activities. The Resident Engineer, at the request of the Paleontological Salvage Team, may temporarily divert or stop such activities in the vicinity of a fossil locality to avoid disturbing the locality pending removal of the remains. When fossil remains are discovered, the Paleontological Monitor will recover them and contact a Principal Paleontologist for assistance, if necessary. Earth-moving activities in these areas shall be halted or diverted to allow for the recovery of the remains in a timely manner.	Final environmental document Volume 1, Section 3.6, Measure CI-10	Yes	During Construction	Contractor Resident Engineer, Caltrans environmental (Oversight), City of Bakersfield Environmental Manager, and Paleontological Salvage Team	Salvage fossil remains exposed by excavation and other earth-moving activities.	Less Than Significant with Mitigation			
CI-11	Paleontology – Mitigation: Bulk sediment or rock samples will be recovered from fossiliferous horizons and processed to allow for the recovery of microvertebrate and other microfossil remains, as determined necessary by the Principal Paleontologist.	Final environmental document Volume 1, Section 3.6, Measure CI-11	Yes	During Construction	Contractor Resident Engineer, Caltrans environmental (Oversight), City of Bakersfield Environmental Manager, and Paleontological Salvage Team	Recover and process bulk sediment or rock samples.	Less Than Significant with Mitigation			
CI-12	Paleontology – Mitigation: Fossil remains collected as a result of monitoring and salvage or sample processing will be cleaned, prepared, sorted, curated, and cataloged. Recovered specimens will be identified by appropriate paleontological specialists.	Final environmental document Volume 1, Section 3.6, Measure CI-12	Yes	During Construction	Contractor Resident Engineer, Caltrans environmental (Oversight), City of Bakersfield Environmental Manager, and Paleontological Salvage Team	Clean, prepare, sort, curate, and catalog recovered fossil remains.	Less Than Significant with Mitigation			
CI-13	Paleontology – Mitigation: Prepared fossils, along with copies of all pertinent field notes, photographs, and maps, shall then be deposited in a Caltrans-approved museum repository with paleontological collections and made available for future scientific study.	Final environmental document Volume 1, Section 3.6, Measure CI-13	Yes	During Construction	Contractor Resident Engineer, Caltrans environmental (Oversight), City of Bakersfield Environmental Manager, and Paleontological Salvage Team	Fossils and supporting documents must be curated to a Caltrans-approved repository.	Less Than Significant with Mitigation			
CI-14	Paleontology – Mitigation: A final report shall be completed by the Principal Paleontologist. The report shall outline the results of the mitigation program and will be signed by the Principal Paleontologist and Professional Geologist. A copy of the report will be supplied to the museum repository and to Caltrans.	Final environmental document Volume 1, Section 3.6, Measure CI-14	Yes	Project Completion	Contractor Resident Engineer, Caltrans environmental (Oversight), City of Bakersfield Environmental Manager, and Paleontological Salvage Team	Prepare and distribute final paleontological report.	Less Than Significant with Mitigation			
CI-15	Paleontology – Mitigation: At the completion of the project, the Caltrans paleontological coordinator will prepare a paleontological stewardship summary with a list of any long-term commitments. The list will be provided to both Maintenance and Operations staff, including the Encroachment Permits office.	Final environmental document Volume 1, Section 3.6, Measure CI-15	No	Project Completion	Contractor Resident Engineer, Caltrans environmental (Oversight), City of Bakersfield Environmental Manager, and Paleontological Salvage Team	Prepare a paleontological stewardship summary.	Less Than Significant with Mitigation			
SC-CI-19	Hazardous Waste or Materials – Standard Conditions: A Health and Safety Contingency Plan shall be prepared as part of the standard engineering design process.	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-19	Yes	Prior to Construction	Caltrans Project Engineer (Oversight) and City of Bakersfield Project Engineer	Prepare Contingency Plan.	Less Than Significant with Mitigation			

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SC-CI-20	<p>Air Quality – Standard Conditions: Caltrans shall incorporate requirements into the contract specifications requiring that the contractor comply with the San Joaquin Valley Air Pollution Control District’s Rule 9510 (Indirect Source Review). This rule applies to transportation or transit projects with construction exhaust emissions of at least 2 tons of nitrogen oxides or 2 tons of particulate matter (PM₁₀) per year. These projects are required to reduce their construction exhaust emissions of nitrogen oxides and particulate matter (PM₁₀), by 20 and 45 percent, respectively, compared to the statewide average for construction equipment. If, after implementation of all feasible onsite mitigation measures, the required emission reduction is not achieved, the rule provides a mechanism by which Caltrans can pay an offsite mitigation fee to the district. Methods of calculating the offsite emission reduction fee are provided in Section 7.1.1 of Rule 9510 and the District’s Rule 3180. District Rule 3180 establishes a 4 percent administration fee to cover the district’s cost of operating an offsite emission reduction program.</p> <p>Achieving a 20 percent nitrogen oxides reduction in exhaust emissions compared to the statewide fleet average can be met by implementing one or more of the following measures:</p> <ul style="list-style-type: none">• Operate equipment with engines newer than 1996.• Retrofit the existing equipment with control devices (e.g., exhaust oxidation catalyst).• Use cleaner fuels such as liquid natural gas, compressed natural gas, or aqueous diesel fuel, where feasible.• Prohibit truck idling in excess of 10 minutes, whenever practical.• Use only well-maintained equipment; use proper planning to reduce rework and multiple handling of earth materials.• Pay a mitigation fee to the air district to obtain reductions through incentive and other programs.	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-20	Yes	During Construction	Caltrans project engineer (oversight), City of Bakersfield Project Engineer, and Contractor Resident Engineer	Contractor is required to comply with San Joaquin Air Pollution Control District Rule 9510 regarding exhaust emissions.	Less Than Significant Impact			
SC-CI-21	<p>Air Quality – Standard Conditions: Caltrans shall incorporate requirements into the contract specifications requiring that the contractor comply with the San Joaquin Valley Air Pollution Control District’s Regulation VIII (Fugitive PM₁₀ Prohibitions) and shall implement all applicable control measures included in the District’s Guide for Assessing and Mitigating Air Quality Impacts, specifically those measures listed in Table 6-2 (Regulation VIII Control Measures) and Table 6-3 (Enhanced and Additional Control Measures) of the document. Applicable mitigation measures as listed in these tables include the following:</p> <ul style="list-style-type: none">• All disturbed areas, including storage piles that are not being actively used for construction purposes shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant, or they shall be covered with a tarp, another suitable cover, or vegetative ground cover.• All onsite unpaved roads and offsite unpaved access roads shall be effectively stabilized of dust emissions using water or a chemical stabilizer/suppressant.• All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions by applying water or by pre-soaking.• With the demolition of buildings up to six stories in height, all exterior surfaces of the building shall be wetted during	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-21	Yes	During Construction	Caltrans project engineer (oversight), City of Bakersfield Project Engineer, and Contractor Resident Engineer	Contractor is required to comply with San Joaquin Air Pollution Control District’s Regulation VIII and implement applicable control measures.	Less Than Significant Impact			

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	demolition. <ul style="list-style-type: none">When materials are transported offsite, all material shall be covered or effectively wetted to limit visible dust emissions, and at least 6 inches of freeboard space from the top of the container shall be maintained.All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.Within urban areas, an owner/operator shall prevent carryout and trackout, or immediately remove carryout and trackout when it extends 50 feet or more from the nearest unpaved surface exit point of the site.Any construction site with 150 or more vehicle trips per day shall prevent carryout and trackout.The following measures shall be implemented at construction sites with high emissions of fugitive dust:<ul style="list-style-type: none">Limit traffic speed on unpaved roads to 15 miles per hour.Install sandbags or other erosion-control measures to prevent silt runoff to public roadways from sites with a slope greater than 1 percent.The following measures shall be implemented at large construction sites near sensitive receptors:<ul style="list-style-type: none">Install wheel washers for all exiting trucks, or wash off tires of trucks and equipment leaving the site.Install wind breaks at windward side(s) of construction areas.Suspend excavation and grading activities when wind exceeds 20 miles per hour.Limit areas subject to excavation, grading, and other earthwork activity at any one time.									
SC-CI-22	Air Quality – Standard Conditions: Caltrans shall incorporate requirements into the contract specifications requiring that the contractor comply with the limitations of the National Emissions Standards for Hazardous Air Pollutants regulations as listed in the Code of Federal Regulations (CFR) requiring notification and inspection for the construction activities that are involved with demolition, renovation, or removal of asbestos-containing materials. Before starting any demolition or renovation of any building, Caltrans shall require the contractor to consult with the San Joaquin Valley Air Pollution Control District's Compliance Division to determine inspection and compliance requirements.	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-22	Yes	Prior to Construction, Construction	Contractor Resident Engineer	Contractor to comply with CFR hazardous emission regulations. Consult with San Joaquin Valley Air Pollution Control District's Compliance Division.	Less Than Significant Impact			
SC-CI-23	Noise and Vibration – Standard Conditions: The contractor shall be required to adhere to the following equipment noise-control measures: <ul style="list-style-type: none">Each internal combustion engine used for any purpose on the job or related to the job shall be equipped with a muffler of a type recommended by the manufacturer. No internal combustion engine shall be operated on the job site without an appropriate muffler.	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-23	Yes		Contractor Resident Engineer and Environmental Manager	Adhere to required equipment noise-control measures.	No Impact			

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	<ul style="list-style-type: none">Construction methods or equipment that will provide the lowest level of noise and ground vibration impact (for example, avoid impact pile driving near residences and consider alternative methods that are also suitable for the soil condition) shall be used.Idling equipment shall be turned off.Construction activities shall be coordinated to build recommended permanent sound walls during the first phase of construction to protect sensitive receivers from subsequent construction noise, dust, light, glare, and other impacts, to the extent feasible.Temporary noise barriers shall be used and relocated, as needed, to protect sensitive receptors against excessive noise from construction activities involving large equipment and by small items such as compressors, generators, pneumatic tools, and jackhammers. Noise barriers can be made of heavy plywood, moveable insulated sound blankets, or other best available control techniques.Newer equipment with improved noise muffling shall be used, and all equipment items shall have the manufacturers' recommended noise-abatement measures (such as mufflers, engine covers, and engine vibration isolators) intact and operational. Newer equipment will generally be quieter in operation than older equipment. All construction equipment shall be inspected at periodic intervals to ensure proper maintenance and presence of noise-control devices (such as mufflers and shrouding).Construction activities shall be minimized to the extent possible in residential areas during evening, nighttime, weekend, and holiday periods. Noise impacts are typically minimized when construction activities are performed during daytime hours. However, nighttime construction may be desirable (such as in commercial areas where businesses may be disrupted during daytime hours) or necessary to avoid major traffic disruption. Coordination with the city or County shall occur before construction can be performed in noise-sensitive areas between 9:00 in the evening and 6:00 in the morning.Construction lay-down or staging areas shall be selected in industrially zoned districts. If industrially zoned areas are not available, commercially zoned areas may be used, or locations that are at least 100 feet from any noise-sensitive land use (such as residences, hotels, and motels).									
SC-CI-24	Noise and Vibration – Standard Conditions: The contractor shall be required to adhere to the following administrative noise control measures: <ul style="list-style-type: none">Once details of the construction activities become available, the contractor shall work with local authorities to develop an acceptable approach to minimize interference with the business and residential communities, traffic disruptions, and the total duration of the construction.Good public relations shall be maintained with the community to minimize objections to unavoidable construction impacts. Frequent activity updates of all construction activities shall be provided. A construction noise monitoring program to track	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-24	Yes	Prior to Construction and During Construction	Contractor Resident Engineer and City of Bakersfield Public Outreach Staff	Adhere to required noise control measures and work with the community to minimize objections.	No Impact			

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	sound levels and limit the impacts shall be implemented. <ul style="list-style-type: none">In case of construction noise complaints by the public, the Resident Engineer shall coordinate with the construction manager, and the specific noise-producing activity may be changed, altered, or temporarily suspended, if necessary.									
SC-CI-25	Noise and Vibration – Standard Conditions: The contractor shall be required to adhere to the following vibration-control measures: <ul style="list-style-type: none">Restrict the hours of vibration-intensive equipment or activities such as vibratory rollers so that impacts to residents are minimal (e.g., weekdays during daytime hours only when as many residents as possible are away from home).The owner of a building close enough to a construction vibration source that could cause damage to that structure could be entitled to a pre-construction building inspection to document the pre-construction condition of that structure.Conduct vibration monitoring during vibration-intensive activities.	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-25	Yes	During Construction	Contractor Resident Engineer and City of Bakersfield Public Outreach Staff	Adhere to required vibration-control measures.	No Impact			
CI-16	Noise and Vibration – Minimization: The contractor shall prepare a Noise and Vibration Monitoring and Mitigation Plan by a qualified Acoustical Engineer and submit it for approval. The plan must outline noise- and vibration-monitoring procedures at predetermined noise- and vibration-sensitive sites as well as historic properties. The plan also must include calculated noise and vibration levels for various construction phases and mitigation measures that may need to meet the project specifications. The contractor shall not start any construction work or operate any noise-generating construction equipment at the construction site before approval of the plan. The plan must be updated every three months or sooner if there are any changes to the construction activities.	Final environmental document Volume 1, Section 3.6, Measure CI-16	Yes	Prior to Construction	Qualified Acoustical Engineer and Contractor Resident Engineer	Prepare a Noise and Vibration Monitoring and Mitigation Plan and submit for approval. Continue to update per Caltrans requirements.	No Impact			
SC-CI-26	Energy – Standard Condition: The contractor shall identify specific measures that reduce the amount of refuse generated by construction of the proposed project, consistent with the waste reduction requirements established by the California Integrated Waste Management Act of 1989.	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-26	Yes	Prior to Construction, Construction	Contractor Resident Engineer	Identify specific reduction measures of refuse generated by construction.	No Impact			
SC-CI-27	Biological Environment – Standard Condition: Invasive Species: In compliance with the Executive Order on Invasive Species (Executive Order 13112) and subsequent guidance from the Federal Highway Administration, Caltrans shall not use species listed as invasive as part of landscaping erosion control measures. In areas of particular sensitivity, extra precautions shall be taken if invasive species are found in or adjacent to the construction areas. These include the inspection and cleaning of construction equipment and eradication strategies to be implemented should an invasion occur. To adhere to this requirement, any landscape designs shall be submitted to Caltrans for review and concurrence by a qualified biologist during the project design phase. The review shall verify that no noxious weeds/invasive exotic plant species are in the proposed landscaping plan. If the plan contains noxious weeds/invasive species, the reviewing biologist shall coordinate suitable substitutes.	Final environmental document Volume 1, Section 3.6, Standard Condition SC-CI-27	Yes	During Construction	Caltrans Environmental (Oversight) and Contractor Resident Engineer/Environmental Manager	Landscape designs to be approved by qualified biologist during project design phase.	No Impact			

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CI-17	Biological Environment – Minimization: Wetlands and Other Waters: Before starting any grading and/or construction-related activity within 50 feet of areas under the jurisdiction of the U.S. Army Corps of Engineers, Regional Water Quality Control Board, and/or California Department of Fish and Wildlife, the contractor shall install fencing, flagging, lath and rope, or another device to delineate the jurisdictional areas that would not be affected by the project. The purpose of the fencing is to protect the jurisdictional areas from inadvertent disturbance. Placement of the fencing shall be done under the recommendation of a qualified biologist in coordination with the project engineer.	Final environmental document Volume 1, Section 3.6, Measure CI-17	Yes	Prior to Construction	Contractor Resident Engineer	Install fencing, flagging, lath and rope, or another device to delineate jurisdictional areas.	Less Than Significant with Mitigation			
CI-18	Biological Environment – Mitigation: Western Spadefoot, Western Pond Turtle, Coast Horned Lizard, Silvery Legless Lizard: A pre-construction survey for western spadefoot, western pond turtle, coast horned lizard, and silvery legless lizard shall be conducted by a qualified biologist within the proposed impact area before construction. Suitable habitat (such as pools for western spadefoot tadpoles or pond turtles) into which to relocate the individuals will be identified by the biologist and approved by the California Department of Fish and Wildlife before individuals are translocated. If these species are observed on or adjacent to the impact area and are in imminent danger from construction activities, a qualified biologist shall capture and relocate individuals to an appropriate location outside the impact area. The biologist conducting the surveys shall hold necessary permits to handle the species. If animals are not in imminent danger, they shall be allowed to leave the impact area on their own.	Final environmental document Volume 1, Section 3.6, Measure CI-18	Yes	Prior to Construction	Qualified Biologist and Caltrans Environmental (Oversight)	Pre-construction survey for identified species.	Less Than Significant with Mitigation			
CI-19	Biological Environment – Mitigation: White-tailed Kite: A pre-construction survey for nesting raptors shall be done by a qualified biologist within the limits of project disturbance and shall be repeated annually. Any active nest found during survey efforts shall be mapped on the construction plans. If nesting activity is present, the active site shall be protected until nesting activity ends to ensure compliance with Section 3503.5 of the <i>California Fish and Game Code</i> . Nesting activity for raptors in the region normally occurs from February 1 to August 31. If no active nests are found, no further mitigation would be required. Results of the surveys shall be provided to the California Department of Fish and Wildlife. To protect any white-tailed kite nest site, the following restrictions on construction would be required between February 1 and August 31 (or until nests are no longer active, as determined by a qualified biologist): (1) clearing limits shall be established a minimum of 600 feet in any direction from any occupied nest; (2) access and surveying shall be restricted within 600 feet of any occupied nest; and (3) full-time biological monitoring shall be required when construction is within 600 feet of an active nest. Any encroachment into the buffer area around the known nest shall be allowed only if it is determined by a qualified biologist that the proposed activity shall not disturb the nest occupants. Construction during the non-nesting season can occur only at the sites if a qualified biologist determines that fledglings have left the nest.	Final environmental document Volume 1, Section 3.6, Measure CI-19	Yes	Prior to Construction	Qualified Biologist and Caltrans Environmental (Oversight)	Conduct annual pre-construction surveys for nesting raptors.	Less Than Significant with Mitigation			
CI-20	Biological Environment – Mitigation: Burrowing Owl: A pre-construction survey shall be conducted by a qualified biologist in accordance with the survey requirements detailed in the California Department of Fish and Game's March 7, 2012 <i>Staff Report on Burrowing Owl</i> no less than 14 days before initial ground-disturbing activities (California Department of Fish and Game 2012) and shall	Final environmental document Volume 1, Section 3.6, Measure CI-20	Yes	Prior to Construction	Qualified Biologist and Caltrans Environmental (Oversight)	Conduct pre-construction surveys for Burrowing Owl in accordance with CDFW requirements.	Less Than Significant with Mitigation			

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	<p>be repeated annually. Any active burrow found during pre-construction survey efforts shall be mapped and provided to the construction foreman. If no active burrows are found, no further mitigation shall be required.</p> <p>No disturbance shall occur within buffers around burrows determined to be occupied. Recommended buffer distances are based on time of year and level of disturbance.</p> <table><tr><th rowspan="2">Time of Year</th><th colspan="3">Level of Disturbance</th></tr><tr><th>Low</th><th>Medium</th><th>High</th></tr><tr><td>April 1 – August 15</td><td>656 feet</td><td>1,640 feet</td><td>1,640 feet</td></tr><tr><td>August 16 – October 15</td><td>656 feet</td><td>656 feet</td><td>1,640 feet</td></tr><tr><td>October 16 – March 31</td><td>164 feet</td><td>328 feet</td><td>1,640 feet</td></tr></table> <p>Source: <i>Staff Report on Burrowing Owl</i> (California Department of Fish and Game 2012).</p> <p>If owls must be moved away from the disturbance area, passive relocation is preferable to trapping. Relocation shall be implemented only during the non-breeding season by a qualified biologist and would occur in coordination with the California Department of Fish and Wildlife. Owls shall be excluded from burrows in the immediate impact zone by installing one-way doors in burrow entrances. One-way doors shall be left in place for 48 hours to ensure owls have left the burrow before excavation.</p> <p>An effort shall be made to preserve foraging habitat contiguous with occupied burrow sites for each pair of breeding burrowing owls or for every single unpaired resident bird.</p> <p>Compensatory mitigation for the San Joaquin kit fox (discussed below) shall also mitigate for the loss of burrowing owl habitat. Additional compensatory mitigation for burrowing owls shall be required only if burrowing owls found within buffer distances specified above during pre-construction surveys cannot be avoided during construction. In this event, potential compensatory mitigation may include purchase of suitable habitat through the payment of fees to the Metropolitan Bakersfield Habitat Conservation Plan Trust Group for this species or construction of artificial burrows in city sumps similar to the city Sump Habitat Program for the San Joaquin kit fox.</p>	Time of Year	Level of Disturbance			Low	Medium	High	April 1 – August 15	656 feet	1,640 feet	1,640 feet	August 16 – October 15	656 feet	656 feet	1,640 feet	October 16 – March 31	164 feet	328 feet	1,640 feet									
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August 16 – October 15	656 feet	656 feet	1,640 feet																										
October 16 – March 31	164 feet	328 feet	1,640 feet																										
CI-21	<p>Biological Environment – Mitigation: Loggerhead Shrike and Tricolored Blackbird: A qualified biologist shall survey annually during construction within the limits of project disturbance for the presence of any nesting locations. Any active nest found during survey efforts shall be mapped and provided to the construction foreman. If no active nests are found, no further mitigation would be required. If nesting tri-colored black birds, compensatory mitigation maybe required.</p> <p>If nesting activity is present, the active site shall be protected until nesting activity has ended to ensure compliance with Section 3503.5 of the California Fish and Game Code. Nesting activity for birds in the region normally occurs from February 1 to August 31. To protect any nest site, the following restrictions on construction are required between February 1 to August 31 (or until nests are no longer active, as determined by a qualified biologist): (1) clearing limits shall be</p>	Final environmental document Volume 1, Section 3.6, Measure CI-21	Yes	Prior to Construction and During Construction	Qualified Biologist and Caltrans Environmental (Oversight)	Conduct annual surveys for Loggerhead Shrike and Tricolored Blackbird nesting locations within the limits of project disturbance.	Less Than Significant with Mitigation																						

Centennial Corridor Environmental Commitments Record										
ID No.	Task and Brief Description	Source	SSP/ NSSP	Project Timing	Responsible Staff	Action to Comply	CEQA Significance Addressed	Task Completed		Remarks/Due Date
								Initial	Date	
	established a minimum of 300 feet in any direction from any occupied nest and (2) access and surveying shall be restricted within 200 feet of any occupied nest. Any encroachment into the 300-/200-foot buffer area around the known nest shall be allowed only if a qualified biologist determines that the proposed activity will not disturb the nest occupants.									
CI-22	Biological Environment – Mitigation: Western Mastiff Bat: During construction, when nightwork is required, lighting during the early evening twilight hours (i.e., two hours before sunrise and two hours after sunset) adjacent to open space areas shall be minimized or avoided to the greatest extent possible. Permanent night lighting for the project shall be directed away from natural open space areas.	Final environmental document Volume 1, Section 3.6, Measure CI-22	Yes	During Construction	Qualified Biologist and Caltrans Environmental (Oversight)	Minimize nightwork lighting in construction areas adjacent to open space.	Less Than Significant with Mitigation			
CI-23	Biological Environment – Mitigation: Swainson's Hawk: Tree removal within 500 feet of non-native grassland, agricultural areas, and detention basins shall occur outside the Swainson's hawk nesting season. An updated focused survey (5 visits) for Swainson's hawk nests shall be conducted during the breeding season before construction activities. A qualified biologist shall survey within the limits of the biological study area and within a 0.5-mile radius around the biological study area for the presence of an active nest in accordance with the Swainson's Hawk Technical Advisory Committee's <i>Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California, Central Valley</i> . Any active nest found during survey efforts shall be mapped and provided to the construction foreman. If a Swainson's hawk is nesting within 0.5 mile of the proposed impact area, the California Department of Fish and Wildlife shall be consulted to evaluate the potential for disturbance of the nesting birds during construction and to approve measures that would avoid impacts on the active nest; authorization to proceed shall be obtained before work starts. The active site shall be protected until nesting activity has ended to ensure compliance with Section 3503.5 of the California Fish and Game Code and the California Endangered Species Act. If no active nests are found, no further mitigation would be required. Results of the surveys shall be provided to the California Department of Fish and Wildlife. A pre-construction survey (5 visits from March15 to April 30) shall be conducted annually before construction activities. To protect an active Swainson's hawk nest site, the following restrictions on construction are required between February 1 and August 31 (or until nests are no longer active, as determined by a qualified biologist): (1) clearing limits shall be established a minimum of 600 feet in any direction from any occupied Swainson's hawk nest; (2) access and surveying shall be restricted within 600 feet of any occupied Swainson's hawk nest; and (3) full-time biological monitoring shall be required when construction is within 600 feet of an active nest. Any encroachment into the 600-foot buffer area around the known nest shall be allowed only if the qualified biologist determines that the proposed activity will not disturb the nest occupants.	Final environmental document Volume 1, Section 3.6, Measure CI-23	Yes	Prior to Construction and During Construction	Qualified Biologist and Caltrans Environmental (Oversight)	Tree removal within 500 feet of Swainson's Hawk habitat must be completed outside of nesting season. Complete five (5) focused surveys for Swainson's Hawk nests during breeding season, prior to construction.	Less Than Significant with Mitigation			
CI-24	Biological Environment – Mitigation: San Joaquin Kit Fox: The following measures shall be implemented before and during construction:□ <ul style="list-style-type: none">Caltrans shall include Special Provisions that include avoidance and minimization measures of the Biological Opinion (Service file numbers 08ESMF00-2013-F-373 [December 20, 2013] and 08ESMF00-2013-F-0373-R001 [February 24, 2015 and amended on July 30, 2015]), when soliciting contractor bid packages.	Final environmental document Volume 1, Section 3.6, Measure CI-24; Biological Opinion.	Yes	Prior to Construction and During Construction	Qualified Biologist, Caltrans Biologist Oversight, City of Bakersfield Project Engineer/Environmental Manager, and Contractor Resident Engineer	Include Special Provisions that include San Joaquin Kit Fox avoidance and minimization measures when soliciting contractor bid packages. Conduct pre-construction surveys	Less Than Significant with Mitigation			

Centennial Corridor Environmental Commitments Record										
ID No.	Task and Brief Description	Source	SSP/ NSSP	Project Timing	Responsible Staff	Action to Comply	CEQA Significance Addressed	Task Completed		Remarks/Due Date
								Initial	Date	
	<ul style="list-style-type: none">Construction activities shall adhere to the standard construction and operational requirements, as described in the U.S. Fish and Wildlife Service’s <i>Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance</i> (USFWS 2011b) Biological Opinion (Service file numbers 08ESMF00-2013-F-0373 [December 20, 2013] and 08ESMF00-2013-F-0373-R001 [February 24, 2015 and amended on July 30, 2015]).No less than 30 but no more than 60 days prior to road construction, a U.S. Fish and Wildlife Service-approved biologist(s) shall conduct pre-construction surveys for San Joaquin kit fox dens both in the project footprint and within 200 feet of the footprint (project footprint plus temporary construction zone), inclusive of any utilities relocations. A report and map of known and potential kit fox dens shall be submitted to the U.S. Fish and Wildlife Service prior to the start of ground disturbance and/or construction activities. Repeat clearance surveys shall be conducted no more than 14 days before construction or after any delays in construction of over 2 weeks. Any new known or potential San Joaquin kit fox dens identified in the interim shall be reported to the U.S. Fish and Wildlife Service in a report and map. If no new known or potential San Joaquin kit fox dens are identified, an internal record shall be maintained that includes the survey date, the designated biologist conducting the survey, and the general survey findings. The records will be submitted to the U.S. Fish and Wildlife Service upon request.□Disturbance to all San Joaquin kit fox dens shall be avoided to the maximum extent possible. If known or potential dens are identified within the project footprint during 60-day and/or 14-day pre-construction surveys, Caltrans shall request to monitor and excavate those dens that are expected to be affected directly by the project and cannot be avoided. Active dens shall not be excavated during the natal season (January 1–June 30). The U.S. Fish and Wildlife Service-approved biologist(s) shall monitor potential dens for three consecutive nights using tracking medium and/or a remote sensor camera, shall submit monitoring results in a report to the U.S. Fish and Wildlife Service, and also shall oversee the hand excavation of dens that have been determined to be vacant following approval by the U.S. Fish and Wildlife Service. The U.S. Fish and Wildlife Service-approved biologist(s) also shall submit results of the den excavation and exclusion activities in a report to the agencies. The following measures shall be applied to dens that are not excavated:<ul style="list-style-type: none">Dens that are identified during pre-construction surveys of the project footprint boundary and a 200-foot area outside of the project footprint shall be monitored and protected by an exclusion zone around dens, as measured outward from the entrance or cluster of entrances of each den. Potential and atypical dens within 50 feet of the project footprint shall be protected with a 50-foot zone delineated by flagged stakes. Known dens within 100 feet of the project footprint shall be protected with a 100-foot zone. To ensure protection, the exclusion zone shall be demarcated by fencing/flagging that does not prevent access to the den by the San Joaquin kit fox. Acceptable designs shall have openings for San Joaquin kit fox ingress/egress but shall keep humans and equipment out, e.g., wooden posts					for dens in the project area, and within 200 feet of the impact footprint.				

Centennial Corridor Environmental Commitments Record										
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	<p>connected with caution tape; orange construction cones; orange construction fencing with a mesh size less than 2 inches in diameter (to prevent the San Joaquin kit fox from becoming entangled in the fencing) with gaps every 50 feet. Fencing/flagging shall be maintained until all construction-related disturbances have been terminated. At that time, all fencing/flagging shall be removed to avoid attracting subsequent attention at the dens.</p> <ul style="list-style-type: none">○ If natal/pupping dens are discovered either within the project footprint or within 200 feet of the project footprint, Caltrans shall immediately notify the U.S. Fish and Wildlife Service.• The U.S. Fish and Wildlife Service-approved biologist(s) shall conduct a worker environmental awareness program for all construction crews prior to ground-disturbing activities, with the purpose of informing all crew members of the potential for the San Joaquin kit fox to occur on site, the effects on the species from construction activities, how to minimize effects to the species, and the penalties for non-exempted take. The training shall include, at a minimum (1) special-status species identification and a description of suitable habitat for the species; (2) avoidance of environmentally sensitive areas; and (3) measures to implement in the event that this species is found during construction. The training shall be repeated to all new crew members working in San Joaquin kit fox habitat. Crew members shall sign an attendance sheet and confirm that they understand the protection measures and construction restrictions. Training materials and records of attendees shall be submitted to the U.S. Fish and Wildlife Service.• The U.S. Fish and Wildlife Service-approved biologist(s) shall monitor road construction on a daily basis and shall verify that construction complies with the measures laid out in the Biological Opinion (Service file numbers 08ESMF00-2013-F-0373-R001 and 08ESMF00-2013-F-0373). The U.S. Fish and Wildlife Service-approved biologist(s) shall maintain a log of daily monitoring notes that can be summarized and transmitted to the U.S. Fish and Wildlife Service by request.• Upon completion of project construction, all areas subject to temporary ground disturbance, including storage and staging areas, shall be restored to original grade and contour. Appropriate methods and plant species used to revegetate shall be determined on a site-specific basis in consultation with revegetation experts.• To minimize opportunistic predatory effects to the San Joaquin kit fox, the city and Caltrans shall condition contracts with contractors to require that trash be removed at least once daily from project areas and disposed of off site so as not to attract predator species like coyotes (<i>Canis latrans</i>) and bobcats (<i>Lynx rufus</i>) to the project area.• The city and Caltrans shall condition contracts with contractors to require that contained water sources, which are inaccessible to the San Joaquin kit fox (e.g., elevated water trucks), be used for dust control and other construction water activities.• The U.S. Fish and Wildlife Service-approved biologist shall meet weekly with the resident engineer and contractor to review the week's upcoming ground-disturbing activities, including any possible changes from the project as analyzed in the Biological									

Centennial Corridor Environmental Commitments Record										
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	<p>Opinion (Service file numbers 08ESMF00-2013-F-0373-R001 and 08ESMF00-2013-F-0373) and the avoidance and minimization measures. These meetings shall be documented and reported to Caltrans every two weeks, Caltrans will in turn report to the U.S. Fish and Wildlife Service every two weeks. Should the incidental take exceed the amount agreed upon in the Biological Opinion (Service file numbers 08ESMF00-2013-F-0373-R001 and 08ESMF00-2013-F-0373), Caltrans must immediately reinstitute formal consultation.</p> <ul style="list-style-type: none">• If incidental take in the form of harassment, harm, injury, or death is likely, Caltrans shall immediately contact the U.S. Fish and Wildlife Service to report the encounter. If an injured or dead individual of a listed species is found, Caltrans shall follow the steps outlined in the <i>Salvage and Disposition of Individuals</i> section of the Biological Opinion (Service file numbers 08ESMF00-2013-F-0373-R001 and 08ESMF00-2013-F-0373).• A post-construction report detailing compliance with the project design criteria and proposed conservation measures shall be provided to the U.S. Fish and Wildlife Service within 60 calendar days of completion of the project. The report shall include: (1) dates of project groundbreaking and completion; (2) pertinent information concerning success of the project in meeting the conservation measures; (3) an explanation of failure to meet such measures, if any; (4) known project effects on San Joaquin kit fox, if any; (5) observed instances of injury to or mortality of the San Joaquin kit fox, if any; (6) the number of dens lost, if any; and (7) any other pertinent information. Any new sightings of the San Joaquin kit fox or its dens shall be reported to the California Natural Diversity Database.									

Appendix G Notice of Preparation and Notice of Intent

NOTICE OF PREPARATION

To: (Recipient)

From: California Dept. of Transportation
2015 E. Shields Avenue, Suite 100
Fresno, CA 93726
Attention: Sarah Gassner
Senior Environmental Planner

Subject: Notice of Preparation of a Draft Environmental Impact Report
Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.

Project Title: Centennial Corridor

Project Location: City of Bakersfield and the County of Kern

Project Description: The proposed project is a route adoption study to establish an alignment for the extension of Route 58 as a limited access facility from its current terminus at Route 99 in the City of Bakersfield westerly to Interstate 5 (I-5) in unincorporated Kern County. In addition, this Environmental Impact Report/Environmental Impact Statement (EIR/EIS) would provide environmental compliance documentation for construction of the project from State Route 58 to Heath Road. The project would incorporate the Westside Parkway, a proposed limited access facility approved by the City of Bakersfield and the Federal Highway Administration in 2006 as a component of the project. Construction of the Westside Parkway is projected to be initiated in 2009 and will extend from Mohawk Street to Heath Road.

This is to inform you that the California Department of Transportation will be the lead agency and will prepare an environmental impact report for the project described below. Your participation as a responsible agency is requested in the preparation and review of this document.

We need to know the views of your agency as to the scope and content of the environmental information that is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

A more detailed project description, location map, and the potential environmental effects are contained in the attached materials.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please direct your response to Sarah Gassner, Senior Environmental Planner, Southern Sierra Environmental Analysis Branch at the address shown above. Please provide us with the name of a contact person in your agency.

Date 9/16/08

Signature Carrie L. Bowen
CARRIE L. BOWEN,
Chief, Central Region
Environmental

Notice of Preparation of a Draft Environmental Impact Report for the Centennial Corridor Project

The California Department of Transportation (the Department), the Lead Agency, is preparing environmental documentation to address impacts associated with a route adoption study for State Route 58 as a limited access facility from its current terminus at State Route 99 to Interstate 5. In addition, this Environmental Impact Report/Environmental Impact Statement (EIR/EIS) would provide environmental compliance documentation for construction of the project from State Route 58 to Heath Road. The document will be prepared as a joint document pursuant to the California Environmental Quality Act and the National Environmental Policy Act. The Department will be preparing an Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the project, which is known as the Centennial Corridor Project. As required by CEQA, the Department is distributing this Notice of Preparation requesting comments from responsible and trustee agencies regarding the significant environmental issues, reasonable alternatives, and reasonable mitigation measures that need to be discussed in the Draft EIR/EIS to address each agency's concern. An Initial Study has not been prepared for this project and is therefore, not attached to this Notice of Preparation.

Project Location

The project would traverse the Metropolitan Bakersfield area and is located between existing State Route 58 – East in the vicinity of Union Avenue (State Route 204) (about 2.0 miles east of State Route 99), and Interstate 5 in Kern County, California. The project would be located in both the City of Bakersfield and unincorporated portions of Kern County. Figure 1 provides a Regional Location Map and Figure 2 is the Local Vicinity Map.

Project Description

The project would establish an alignment for a new limited access facility that would connect State Route 58 to Interstate 5. In addition, construction level analysis would be provided for the portion of the project east of Heath Road. The portion of the project from Heath Road to Interstate 5 would remain at the route location level of detail.

For purposes of this EIR/EIS, the project has been divided into three segments:

- (1) Eastern Connection, which would connect the Westside Parkway to the existing Route 58 Freeway;
- (2) Westside Parkway, which extends from Heath Road to Mohawk Street; and,
- (3) Western Segment, which extends from I-5 to Heath Road.

The Western Segment and the Westside Parkway portions of the project have been addressed in previous environmental documents prepared pursuant to CEQA and NEPA. This EIR/ EIS will incorporate by reference these previous two documents:

- *Final Route 58 Route Adoption Project, A Tier 1 Environmental Impact Statement/Environmental Impact Report* (Tier 1 EIS/EIR) (2002), which addresses the Western Segment of the project, and
- *Westside Parkway Environmental Assessment/Final Environmental Impact Report* (EA/FEIR) (2006), which addresses the Westside Parkway segment of the project.

For these two segments of the project, the analysis in the Centennial Corridor EIR/EIS will serve as a revalidation of the previous documents. New information will be provided to the extent necessary to ensure the environmental record is reflective of the current conditions.

Construction of the facility would be phased. The timeframe for construction of the Western Segment is unknown and is not anticipated in the near future. Therefore, the level of analysis for this segment will remain at the route location level of detail, not construction level. The focus of the analysis for the Westside Parkway segment will be on improvements necessary to upgrade

the facility to state highway standards for adoption into the State Highway System. Consistent with the *Westside Parkway EA/FEIR*, the updated analysis for the Westside Parkway segment will be at a construction level of detail. Construction of the Westside Parkway is anticipated to start in 2009 utilizing the previous EA/FEIR.

The Eastern Connection has not been subject to previous environmental studies. Various alternatives to connect State Route 58 to the Westside Parkway are under consideration, including options west of State Route 99, east of State Route 99, and parallel to State Route 99 as well as a "No Build" alternative, a transit alternative, and a transportation systems management alternative. The Department will continue to screen the alternatives identified through the scoping process and only carry forward those alternatives that are considered viable for evaluation in the EIR/EIS. The following alternatives are currently under consideration:

- Alternative A proposes to construct a new freeway west of the State Route 58/99 interchange. The alignment would travel in a westerly direction for approximately one mile on the south side of Stockdale Highway, at which point it would turn in a northwesterly direction and span the Carrier Canal, Truxtun Avenue, and the Kern River. The proposed route would then connect to the Westside Parkway alignment between Mohawk Street and Coffee Road. The total length of the project from the existing State Route 99/State Route 58 interchange to Interstate 5 utilizing Alternative A would be approximately 16.31 miles.
- Alternative B proposes to construct a new freeway west of the State Route 58/99 interchange. The alignment would travel in a westerly direction for approximately one-half mile on the south side of Stockdale Highway, at which point it would turn to the northwest, span the Carrier Canal, Truxtun Avenue, and the Kern River. Alternative B would connect to the Westside Parkway alignment at the Mohawk Street interchange. The total length of the project from the existing State Route 99/State Route 58 interchange to Interstate 5 utilizing Alternative B is approximately 16.61 miles.
- Alternative C proposes to connect existing State Route 58 to the Westside Parkway by means of routing new lanes adjacent and parallel to existing State Route 99. These additional lanes would run parallel to and independent of State Route 99. Movements between State Route 58, State Route 99 and the Westside Parkway would likely be facilitated by braided ramps and freeway-to-freeway connector ramps. The total length of the project from State Route 99 to Interstate 5 utilizing Alternative C is approximately 18.51 miles.
- Alternative D proposes to construct a new freeway in the vicinity of Union Avenue (State Route 204). The roadway would extend north from State Route 58 for approximately one mile, where it would turn to the west and run parallel to the Burlington Northern Santa Fe railroad tracks. Alternative D would connect to the Westside Parkway alignment at the new interchange at Mohawk Street. The total length of the project from State Route 58 at Union Avenue to Interstate 5 is approximately 18.98 miles.
- The "No Build" alternative, would not construct any improvements. State Route 58 - East would continue to end at State Route 99 where it would jog to the north to tie into State Route 58 – West (Rosedale Highway). The Westside Parkway would be constructed as a local facility, but would not connect to State Route 58, State Route 99, or Interstate 5.
- Alternative M would evaluate Transit and Transportation Systems Management (TSM) improvements. TSM focuses on low capital, environmentally-responsive improvements that maximize efficiency of existing facilities. An example of TSM improvements would be providing signal interconnects to facilitate the flow of traffic or providing bus turn-out bays to minimize the interruption of buses along a specific route. Specific transit and TSM

measures have not been developed at this point. Preliminary traffic data is required to determine the most effective transit and TSM measures. Once the traffic data is available it would be determined if transit and TSM improvements would be separate alternatives or if it is more effective to evaluate a single alternative that includes both transit and TSM improvements.

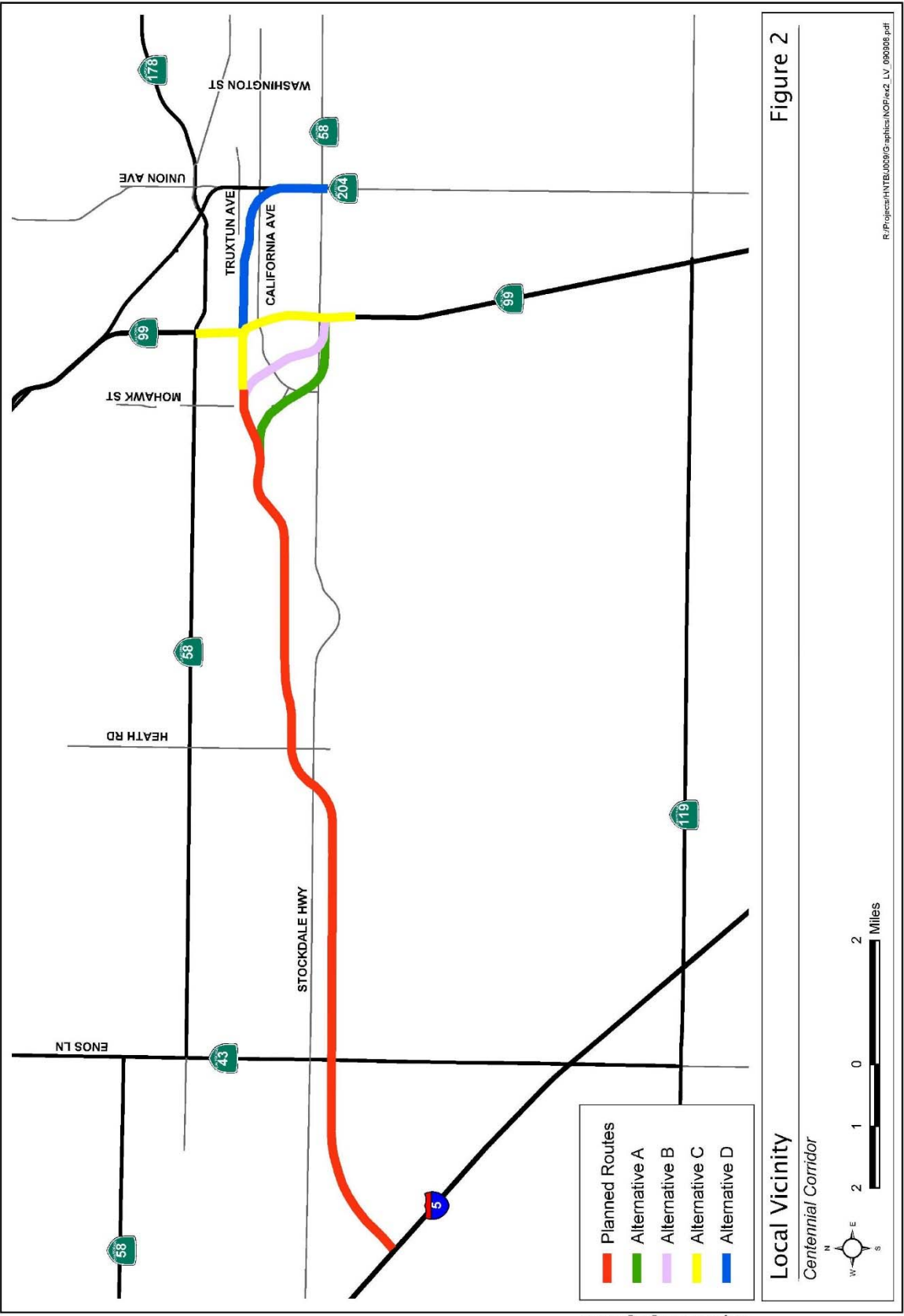
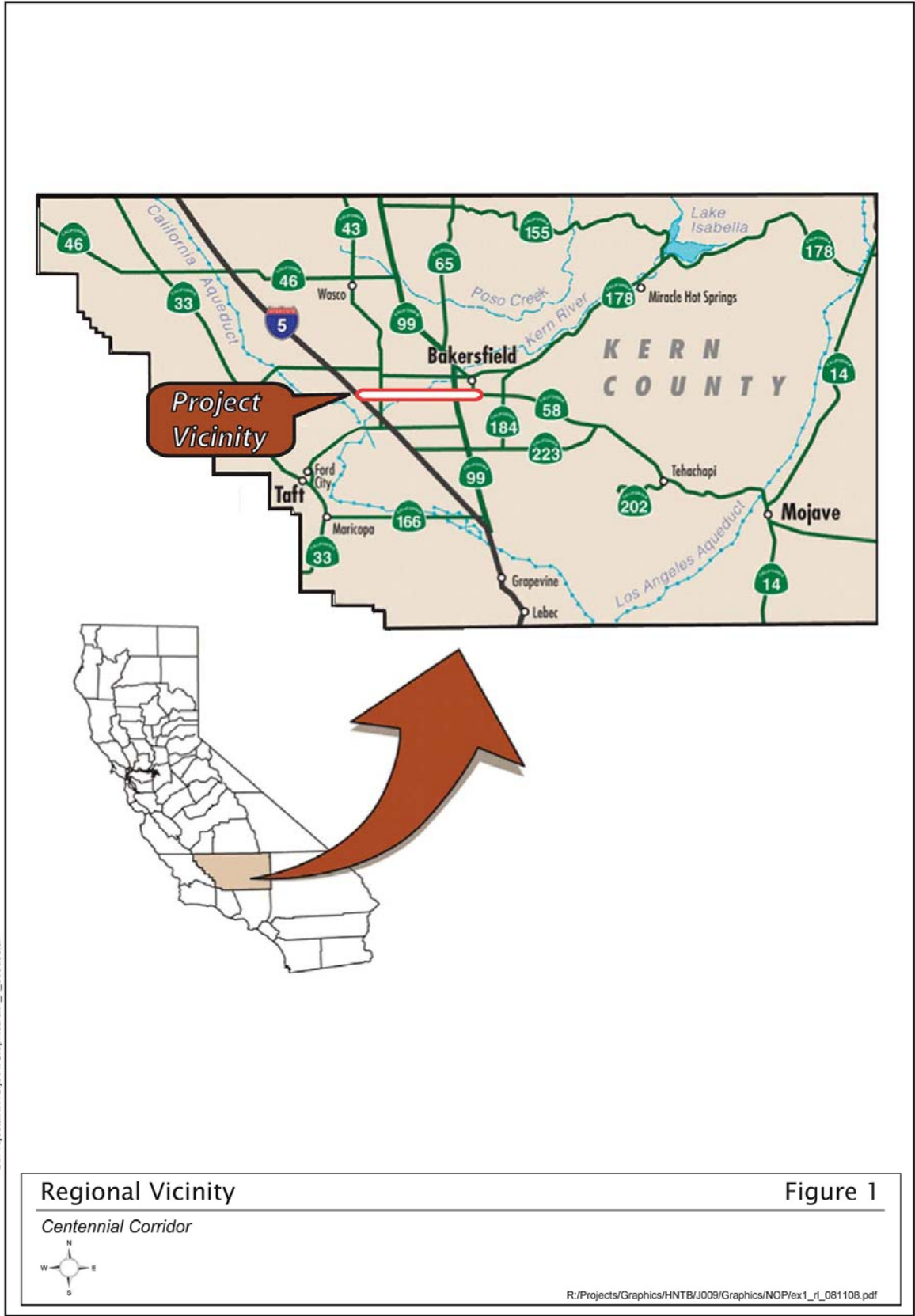
Environmental Effects

Probable effects of the project include impacts to farmland, residences, businesses and industrial uses; visual resources; cultural resources; water quality; air quality; noise standards; and biological resources. The following technical studies will be prepared as part of the EIR/EIS:

- Community Impact Assessment
- Relocation Impact Studies
- Natural Environment Study
- Visual Impact Assessment
- Air Quality Study
- Noise Report and Noise Abatement Decision Report
- Historic Property Survey Report (historical architecture, historic resources, and archaeological resources)
- Initial Site Assessment (hazardous materials)
- Floodplain Study
- Water Quality Report
- Paleontological Studies

Scoping Process

In addition to this Notice of Preparation, the Department will conduct a public scoping meeting. The meeting will be held on October 2, 2008 from 4:30 PM to 7:30 PM at the Kern County Administrative Offices, in the Building Rotunda located at 1115 Truxtun Avenue, in Bakersfield, California. Information on the project will be available at the meeting. There will also be opportunities for agencies and members of the public to provide input on the proposed project.





U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
650 Capitol Mall, Suite 4-100
Sacramento, CA. 95814
September 11, 2008

IN REPLY REFER TO
HDA-CA
File # 06-KER-58
Document # P58659

Mr. Raymond A. Mosley
Office of the Federal Register (NF)
The National Archives and Records Administration
8601 Adelphi Road
College Park, MD 20740-6001

Dear Mr. Mosley:

**SUBJECT: NOTICE OF INTENT – CENTENNIAL CORRIDOR HIGHWAY
PROJECT, KERN COUNTY, CALIFORNIA**

Enclosed are three signed original copies of the Notice of Intent (Notice) for the subject project, along with an electronic copy in the form of a compact disk (CD). We certify that the enclosed CD contains a true and accurate copy of the three signed paper copies of the Notice. Please publish this Notice in the Federal Register. The billing code is identified on the Notice.

If you have any questions, please contact Dominic Hoang at (916) 498-5002.

Sincerely,

/s/ *Dominic Hoang*

For
Gene K. Fong
Division Administrator

Enclosures



cc: (E-mail, w/o Enclosures)
Jay Norvell, Caltrans
Carrie Bowen, Caltrans
Kirsten Helton, Caltrans
Sarah Gassner, Caltrans
Nancy Bobb, FHWA
Karen Bobo, FHWA
Dominic Hoang, FHWA

DHoang/ac





U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
650 Capitol Mall, Suite 4-100
Sacramento, CA 95814
September 11, 2008

IN REPLY REFER TO
HDA-CA
File # 06-KER-58
Document # P58659


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Sincerely,

For
Gene K. Fong
Division Administrator

Enclosures

**MOVING THE
AMERICAN
ECONOMY** 

**MOVING THE
AMERICAN
ECONOMY** 

cc: (E-mail, w/o Enclosures)
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Karen Bobo, FHWA
Dominic Hoang, FHWA

DHoang/ac

**MOVING THE
AMERICAN
ECONOMY** 

**MOVING THE
AMERICAN
ECONOMY** 

[4910-22]

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

ENVIRONMENTAL IMPACT STATEMENT: KERN COUNTY, CALIFORNIA

AGENCY: Federal Highway Administration (FHWA), DOT

ACTION: Notice of Intent

SUMMARY: The FHWA, on behalf of the California Department of Transportation (Caltrans), is issuing this notice to advise the public that an Environmental Impact Statement (EIS) will be prepared for the proposed Centennial Corridor highway project in Kern County, California.

FOR FURTHER INFORMATION CONTACT: Sarah Gassner, Senior Environmental Planner, Southern Sierra Environmental Analysis Branch, Caltrans, 2015 E. Shields Avenue, Suite 100, Fresno, California 93726 or call (559) 243-8243.

SUPPLEMENTARY INFORMATION:

Effective July 1, 2007, the FHWA assigned, and Caltrans assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Caltrans as the delegated National Environmental Policy Act (NEPA) agency will prepare an EIS on a route adoption study to extend State Route 58 westerly to connect to Interstate 5, in Kern County, California. In addition, this EIS would provide environmental compliance documentation for construction of the project from State Route 58 to Heath Road. For purposes of the EIS, the project, known as the Centennial Corridor, is being evaluated in three segments. Two of the segments, from Interstate 5 to Heath Road and from Heath Road to Mohawk Street (Westside Parkway), have been the subject of previous NEPA



documents. This EIS will incorporate by reference the previous documents: Final Route 58 Route Adoption Project, A Tier 1 Environmental Impact Statement/Environmental Impact Report (Tier 1 EIS/EIR) (2002) and the Westside Parkway Environmental Assessment/Final Environmental Impact Report (EA/FEIR) (2006). This EIS will serve as a revalidation of the previous analysis.

The final segment of the Centennial Corridor, from Mohawk Street to State Route 58, will be evaluated at a construction level of analysis and will address multiple alternatives. Alternative alignments currently being evaluated include options west of State Route 99, east of State Route 99, and parallel to State Route 99, as well as a “No Build” alternative, a transit alternative, and a transportation systems management alternative. All of the build alternative alignments would connect State Route 58 to the east end of the Westside Parkway project. Caltrans will continue to screen the alternatives identified through the scoping process and only carry forward those alternatives that are considered viable for evaluation in the EIS. The following alternatives are currently under consideration: Alternative A proposes to construct a new freeway west of the State Route 58/99 interchange. The alignment would travel in a westerly direction for approximately one mile on the south side of Stockdale Highway, at which point it would turn in a northwesterly direction and span the Carrier Canal, Truxtun Avenue, and the Kern River. The proposed route would then connect to the Westside Parkway alignment between Mohawk Street and Coffee Road. The total length of the project from the existing State Route 99/State Route 58 interchange to Interstate 5 utilizing Alternative A would be approximately 16.31 miles.



Alternative B proposes to construct a new freeway west of the State Route 58/99 interchange. The alignment would travel in a westerly direction for approximately one-half mile on the south side of Stockdale Highway, at which point it would turn to the northwest, span the Carrier Canal, Truxtun Avenue, and the Kern River. Alternative B would connect to the Westside Parkway alignment at the Mohawk Street interchange. The total length of the project from the existing State Route 99/State Route 58 interchange to Interstate 5 utilizing Alternative B is approximately 16.61 miles.

Alternative C proposes to connect existing State Route 58 to the Westside Parkway by means of routing new lanes adjacent and parallel to existing State Route 99. These additional lanes would run parallel to and independent of State Route 99. Movements between State Route 58, State Route 99 and the Westside Parkway would likely be facilitated by braided ramps and freeway-to-freeway connector ramps. The total length of the project from State Route 99 to Interstate 5 utilizing Alternative C is approximately 18.51 miles.

Alternative D proposes to construct a new freeway in the vicinity of Union Avenue (State Route 204). The roadway would extend north from State Route 58 for approximately one mile, where it would turn to the west and run parallel to the Burlington Northern Santa Fe railroad tracks. Alternative D would connect to the Westside Parkway alignment at the new interchange at Mohawk Street. The total length of the project from State Route 58 at Union Avenue to Interstate 5 is approximately 18.98 miles.

The “No Build” alternative, would not construct any improvements. State Route 58 - East would continue to end at State Route 99 where it would jog to the north to tie into State Route 58 – West (Rosedale Highway). The Westside Parkway would be



constructed as a local facility, but would not connect to State Route 58, State Route 99, or Interstate 5.

Alternative M would evaluate Transit and Transportation Systems Management (TSM) improvements. TSM focuses on low capital, environmentally-responsive improvements that maximize efficiency of existing facilities. An example of TSM improvements would be providing signal interconnects to facilitate the flow of traffic or providing bus turn-out bays to minimize the interruption of buses along a specific route. Specific transit and TSM measures have not been developed at this point. Preliminary traffic data is required to determine the most effective transit and TSM measures. Once the traffic data is available it would be determined if transit and TSM improvements would be separate alternatives or if it is more effective to evaluate a single alternative that includes both transit and TSM improvements.

It is anticipated that the proposed project may require the following federal permits and approvals: a Biological Opinion from the United States Fish & Wildlife Service, approval of a PM10 - PM2.5 Hot Spot Analysis by the Inter-Agency Consultation Committee, an Air Quality Conformity determination from the Federal Highway Administration, Section 401, 402 and 404 permits under the Clean Water Act and a Farmland Conversion Impact Rating For Corridor Type Projects from the United States Soil Conservation Service.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, local and participating agencies. In addition, the following Native American groups have been notified: the Chumash Council of Bakersfield, Kawaiisu Tribe, Kawaiisu Tribe of the Tejon Indian Reservation, Kern Valley Indian Community, Kern Valley Paiute Council, Kawaiisu Band of Kern Valley Indians, Kudzubitewanap



Palap Tribe, Native American Heritage Council of Kern County, Santa Rosa Rancheria – Tachi Yokuts Tribe, Tubatalabals of Kern Valley, Tinoqui – Chalola Council of Kitanemuk and Yowlumne Tejon Indians, Tule River Indian Reservation and the White Blanket Paiute Rancheria. Private organizations and citizens who have previously expressed or are known to have interest in this proposal have also received notification on the project. The environmental scoping process began in March 2008. Public information meetings were held on March 4, 2008, May 22, 2008, July 21, 2008, and August 21, 2008, in Bakersfield, California. Several community focus meetings have been and are continuing to be held in neighborhoods affected by the proposed project alternatives.

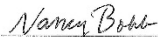
A scoping meeting will be held on October 2, 2008. The meeting will be held for agencies from 1:00 PM to 3:00 PM at the Thomas Roads Improvement Program Offices located at 900 Truxtun Avenue, Suite 200, Bakersfield, California. The meeting for the public will be held from 4:30 PM to 7:30 PM at the Kern County Administrative Offices, in the Building Rotunda located at 1115 Truxtun Avenue, Bakersfield, California to provide additional opportunities for agency and public input on the proposed project. Public notice will be given of the time and place of the meeting.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments, and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to Caltrans at the address provided above.



(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: September 11, 2008



Nancy Bobb
Director, State Programs
Federal Highway Administration
Sacramento, California



Appendix H Project Level Conformity Determination Letter



U.S. Department
of Transportation
**Federal Highway
Administration**

California Division

August 7, 2014

650 Capitol Mall, Suite 4-100
Sacramento, CA 95814
(916) 498-5001
916 498-5008 (FAX)

In Reply Refer To:
HDA-CA

Ms. Sharri Bender-Ehlert
District Director
California Department of Transportation
District 6
P. O. Box 12616
Fresno, CA 93778-2616

Attention: Terry Goewert

SUBJECT: Project Level Conformity Determination for the Centennial Corridor Project
(CTIPS ID # 204000000391)

Dear Ms. Bender-Ehlert:

On July 29, 2014, the California Department of Transportation (Caltrans) submitted to the Federal Highway Administration (FHWA) a complete request for a project level conformity determination for the Centennial Corridor Project. The project is in an area that is designated Non-Attainment or Maintenance for Carbon Monoxide (CO), Ozone and Particulate Matter (PM₁₀, PM_{2.5}).

The project level conformity analysis submitted by Caltrans indicates that the project-level transportation conformity requirements of 40 CFR Part 93 have been met. The project is included in the Kern Council of Governments' (KCOG) current Recreational Trails Program (RTP) and Transportation Improvement Program (TIP), as amended. The design, concept and scope of the preferred alternative have not changed significantly from those assumed in the regional emissions analysis.

As required by 40 CFR 93.116 and 93.123, the localized PM_{2.5} and PM₁₀ analyses are included in the documentation. The analyses demonstrate that the project will not create any new violations of the standards nor increase the severity or number of existing violations.

Based on the information provided, FHWA finds that the Centennial Corridor Project conforms with the State Implementation Plan (SIP) in accordance with 40 CFR Part 93.

If you have any questions pertaining to this conformity finding, please contact Joseph Vaughn at (916) 498-5346 or by email at Joseph.Vaughn@dot.gov.

Sincerely,

For: Vincent P. Mammano
Division Administrator

Appendix I Federal Endangered and Threatened Species¹ and Biological Opinion

¹ The project is located more than 100 miles from the Pacific Ocean in a highly urbanized and developed area; therefore, a National Marine Fisheries Service species list is not included.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
FEDERAL BUILDING, 2800 COTTAGE WAY, ROOM W-2605
SACRAMENTO, CA 95825
PHONE: (916)414-6600 FAX: (916)414-6713



Consultation Code: 08ESMF00-2015-SLI-0797

September 29, 2015

Event Code: 08ESMF00-2015-E-03757

Project Name: Centennial Corridor

Subject: Up dated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, under the jurisdiction of the U.S. Fish and Wildlife Service (Service) that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Please follow the link below to see if your proposed project has the potential to affect other species or their habitats under the jurisdiction of the National Marine Fisheries Service:

http://www.nwr.noaa.gov/protected_species/species_list/species_lists.html

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2)

of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

The table below outlines lead FWS field offices by county and land ownership/project type. Please refer to this table when you are ready to coordinate (including requests for section 7 consultation) with the field office corresponding to your project, and send any documentation regarding your project to that corresponding office. Therefore, the lead FWS field office may not be the office listed above in the letterhead. Please visit our office's website (<http://www.fws.gov/sacramento>) to view a map of office jurisdictions.

Lead FWS offices by County and Ownership/Program			
County	Ownership/Program	Species	Office Lead*
Alameda	Tidal wetlands/marsh adjacent to Bays	Salt marsh species, delta smelt	BDFWO
Alameda	All ownerships but tidal/estuarine	All	SFWO
Alpine	Humboldt Toiyabe National Forest	All	RFWO
Alpine	Lake Tahoe Basin Management Unit	All	RFWO
Alpine	Stanislaus National Forest	All	SFWO
Alpine	El Dorado National Forest	All	SFWO
Colusa	Mendocino National Forest	All	AFWO
Colusa	Other	All	By jurisdiction (see map)
Contra Costa	Legal Delta (Excluding ECCHCP)	All	BDFWO
Contra Costa	Antioch Dunes NWR	All	BDFWO
Contra Costa	Tidal wetlands/marsh adjacent to Bays	Salt marsh species, delta smelt	BDFWO
Contra Costa	All ownerships but tidal/estuarine	All	SFWO

El Dorado	El Dorado National Forest	All	SFWO
El Dorado	Lake Tahoe Basin Management Unit		RFWO
Glenn	Mendocino National Forest	All	AFWO
Glenn	Other	All	By jurisdiction (see map)
Lake	Mendocino National Forest	All	AFWO
Lake	Other	All	By jurisdiction (see map)
Lassen	Modoc National Forest	All	KFWO
Lassen	Lassen National Forest	All	SFWO
Lassen	Toiyabe National Forest	All	RFWO
Lassen	BLM Surprise and Eagle Lake Resource Areas	All	RFWO
Lassen	BLM Alturas Resource Area	All	KFWO
Lassen	Lassen Volcanic National Park	All (includes Eagle Lake trout on all ownerships)	SFWO
Lassen	All other ownerships	All	By jurisdiction (see map)

Marin	Tidal wetlands/marsh adjacent to Bays	Salt marsh species, delta smelt	BDFWO
Marin	All ownerships but tidal/estuarine	All	SFWO
Mendocino	Russian River watershed	All	SFWO
Mendocino	All except Russian River watershed	All	AFWO
Napa	All ownerships but tidal/estuarine	All	SFWO
Napa	Tidal wetlands/marsh adjacent to San Pablo Bay	Salt marsh species, delta smelt	BDFWO
Nevada	Humboldt Toiyabe National Forest	All	RFWO
Nevada	All other ownerships	All	By jurisdiction (See map)
Placer	Lake Tahoe Basin Management Unit	All	RFWO
Placer	All other ownerships	All	SFWO
Sacramento	Legal Delta	Delta Smelt	BDFWO
Sacramento	Other	All	By jurisdiction (see map)
San Francisco	Tidal wetlands/marsh adjacent to San Francisco Bay	Salt marsh species, delta smelt	BDFWO

San Francisco	All ownerships but tidal/estuarine	All	SFWO
San Mateo	Tidal wetlands/marsh adjacent to San Francisco Bay	Salt marsh species, delta smelt	BDFWO
San Mateo	All ownerships but tidal/estuarine	All	SFWO
San Joaquin	Legal Delta excluding San Joaquin HCP	All	BDFWO
San Joaquin	Other	All	SFWO
Santa Clara	Tidal wetlands/marsh adjacent to San Francisco Bay	Salt marsh species, delta smelt	BDFWO
Santa Clara	All ownerships but tidal/estuarine	All	SFWO
Shasta	Shasta Trinity National Forest except Hat Creek Ranger District (administered by Lassen National Forest)	All	YFWO
Shasta	Hat Creek Ranger District	All	SFWO
Shasta	Bureau of Reclamation (Central Valley Project)	All	BDFWO
Shasta	Whiskeytown National Recreation Area	All	YFWO
Shasta	BLM Alturas Resource Area	All	KFWO

Shasta	Caltrans	By jurisdiction	SFWO/AFWO
Shasta	Ahjumawi Lava Springs State Park	Shasta crayfish	SFWO
Shasta	All other ownerships	All	By jurisdiction (see map)
Shasta	Natural Resource Damage Assessment, all lands	All	SFWO/BDFWO
Sierra	Humboldt Toiyabe National Forest	All	RFWO
Sierra	All other ownerships	All	SFWO
Solano	Suisun Marsh	All	BDFWO
Solano	Tidal wetlands/marsh adjacent to San Pablo Bay	Salt marsh species, delta smelt	BDFWO
Solano	All ownerships but tidal/estuarine	All	SFWO
Solano	Other	All	By jurisdiction (see map)
Sonoma	Tidal wetlands/marsh adjacent to San Pablo Bay	Salt marsh species, delta smelt	BDFWO
Sonoma	All ownerships but tidal/estuarine	All	SFWO
Tehama	Mendocino National Forest	All	AFWO
	Shasta Trinity National Forest		

Tehama	except Hat Creek Ranger District (administered by Lassen National Forest)	All	YFWO
Tehama	All other ownerships	All	By jurisdiction (see map)
Yolo	Yolo Bypass	All	BDFWO
Yolo	Other	All	By jurisdiction (see map)
All	FERC-ESA	All	By jurisdiction (see map)
All	FERC-ESA	Shasta crayfish	SFWO
All	FERC-Relicensing (non-ESA)	All	BDFWO
*Office Leads:			
AFWO=Arcata Fish and Wildlife Office			
BDFWO=Bay Delta Fish and Wildlife Office			
KFWO=Klamath Falls Fish and Wildlife Office			
RFWO=Reno Fish and Wildlife Office			
YFWO=Yreka Fish and Wildlife Office			

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: Centennial Corridor

Official Species List

Provided by:

Sacramento Fish and Wildlife Office
FEDERAL BUILDING
2800 COTTAGE WAY, ROOM W-2605
SACRAMENTO, CA 95825
(916) 414-6600

Consultation Code: 08ESMF00-2015-SLI-0797

Event Code: 08ESMF00-2015-E-03757

Project Type: TRANSPORTATION

Project Name: Centennial Corridor

Project Description: The California Department of Transportation (Caltrans) proposes to establish a new alignment for State Route 58, which would provide a continuous route along State Route 58 from Interstate 5 via the Westside Parkway to Cottonwood Road on existing State Route 58, east of State Route 99 (post miles T31.7 to R55.6). Improvements to State Route 99 (post miles 21.2 to 26.2) would also be required to accommodate the connection with State Route 58.

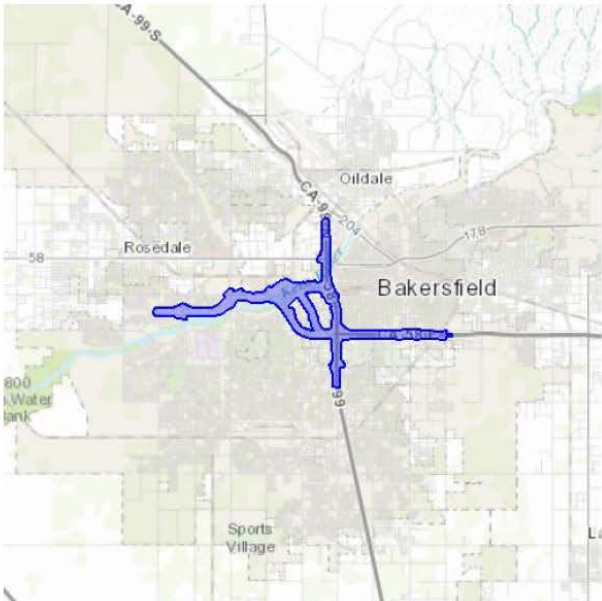
Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior
Fish and Wildlife Service

Project name: Centennial Corridor

Project Location Map:



Project Coordinates: The coordinates are too numerous to display here.

Project Counties: Kern, CA



United States Department of Interior
Fish and Wildlife Service

Project name: Centennial Corridor

Endangered Species Act Species List

There are a total of 15 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Amphibians	Status	Has Critical Habitat	Condition(s)
California red-legged frog (<i>Rana draytonii</i>) Population: Entire	Threatened	Final designated	
Birds			
Southwestern Willow flycatcher (<i>Empidonax traillii extimus</i>) Population: Entire	Endangered	Final designated	
Yellow-Billed Cuckoo (<i>Coccyzus americanus</i>) Population: Western U.S. DPS	Threatened	Proposed	
Crustaceans			
Vernal Pool fairy shrimp (<i>Branchinecta lynchi</i>) Population: Entire	Threatened	Final designated	
Fishes			
Delta smelt (<i>Hypomesus transpacificus</i>) Population: Entire	Threatened	Final designated	

<http://ecos.fws.gov/ipac>, 09/29/2015 02:56 PM



United States Department of Interior
Fish and Wildlife Service

Project name: Centennial Corridor

Flowering Plants			
Bakersfield cactus (<i>Opuntia treleasei</i>)	Endangered		
California jewelflower (<i>Caulanthus californicus</i>)*	Endangered		
San Joaquin woolly-threads (<i>Monolopia (=lembertia) congdonii</i>)*	Endangered		
San Mateo thommint (<i>Acanthomintha obovata ssp. duttonii</i>)	Endangered		
Mammals			
Buena Vista Lake Omate Shrew (<i>Sorex omatus relictus</i>) Population: Entire	Endangered	Final designated	
Giant kangaroo rat (<i>Dipodomys ingens</i>) Population: Entire	Endangered		
San Joaquin Kit fox (<i>Vulpes macrotis mutica</i>) Population: wherever found	Endangered		
Tipton kangaroo rat (<i>Dipodomys nitratoides nitratoides</i>) Population: Entire	Endangered		
Reptiles			
Blunt-Nosed Leopard lizard (<i>Gambelia silus</i>) Population: Entire	Endangered		
Giant Garter snake (<i>Thamnophis gigas</i>) Population: Entire	Threatened		

** Based on the results of the biological surveys, this species was not found onsite; therefore no effect to this species is anticipated. However, to ensure the absence of this species within Stockdale Highway and State Route 43, plant surveys would need to be conducted by a qualified biologist prior to construction.

<http://ecos.fws.gov/ipac>, 09/29/2015 02:56 PM



United States Department of Interior
Fish and Wildlife Service

Project name: Centennial Corridor

Critical habitats that lie within your project area

There are no critical habitats within your project area.

<http://ecos.fws.gov/ipac>, 09/29/2015 02:56 PM



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
FEDERAL BUILDING, 2800 COTTAGE WAY, ROOM W-2605
SACRAMENTO, CA 95825
PHONE: (916)414-6600 FAX: (916)414-6713



Consultation Code: 08ESMF00-2015-SLI-0798
September 29, 2015
Event Code: 08ESMF00-2015-E-03758
Project Name: Centennial Corridor - Stockdale and Enos

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, under the jurisdiction of the U.S. Fish and Wildlife Service (Service) that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Please follow the link below to see if your proposed project has the potential to affect other species or their habitats under the jurisdiction of the National Marine Fisheries Service:

http://www.nwr.noaa.gov/protected_species/species_list/species_lists.html

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2)

of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

The table below outlines lead FWS field offices by county and land ownership/project type. Please refer to this table when you are ready to coordinate (including requests for section 7 consultation) with the field office corresponding to your project, and send any documentation regarding your project to that corresponding office. Therefore, the lead FWS field office may not be the office listed above in the letterhead. Please visit our office's website (<http://www.fws.gov/sacramento>) to view a map of office jurisdictions.

Lead FWS offices by County and Ownership/Program

County	Ownership/Program	Species	Office Lead*
Alameda	Tidal wetlands/marsh adjacent to Bays	Salt marsh species, delta smelt	BDFWO
Alameda	All ownerships but tidal/estuarine	All	SFWO
Alpine	Humboldt Toiyabe National Forest	All	RFWO
Alpine	Lake Tahoe Basin Management Unit	All	RFWO
Alpine	Stanislaus National Forest	All	SFWO
Alpine	El Dorado National Forest	All	SFWO
Colusa	Mendocino National Forest	All	AFWO
Colusa	Other	All	By jurisdiction (see map)
Contra Costa	Legal Delta (Excluding ECCHCP)	All	BDFWO
Contra Costa	Antioch Dunes NWR	All	BDFWO
Contra Costa	Tidal wetlands/marsh adjacent to Bays	Salt marsh species, delta smelt	BDFWO
Contra Costa	All ownerships but tidal/estuarine	All	SFWO

El Dorado	El Dorado National Forest	All	SFWO
El Dorado	LakeTahoe Basin Management Unit		RFWO
Glenn	Mendocino National Forest	All	AFWO
Glenn	Other	All	By jurisdiction (see map)
Lake	Mendocino National Forest	All	AFWO
Lake	Other	All	By jurisdiction (see map)
Lassen	Modoc National Forest	All	KFWO
Lassen	Lassen National Forest	All	SFWO
Lassen	Toiyabe National Forest	All	RFWO
Lassen	BLM Surprise and Eagle Lake Resource Areas	All	RFWO
Lassen	BLM Alturas Resource Area	All	KFWO
Lassen	Lassen Volcanic National Park	All (includes Eagle Lake trout on all ownerships)	SFWO
Lassen	All other ownerships	All	By jurisdiction (see map)

Marin	Tidal wetlands/marsh adjacent to Bays	Salt marsh species, delta smelt	BDFWO
Marin	All ownerships but tidal/estuarine	All	SFWO
Mendocino	Russian River watershed	All	SFWO
Mendocino	All except Russian River watershed	All	AFWO
Napa	All ownerships but tidal/estuarine	All	SFWO
Napa	Tidal wetlands/marsh adjacent to San Pablo Bay	Salt marsh species, delta smelt	BDFWO
Nevada	Humboldt Toiyabe National Forest	All	RFWO
Nevada	All other ownerships	All	By jurisdiction (See map)
Placer	Lake Tahoe Basin Management Unit	All	RFWO
Placer	All other ownerships	All	SFWO
Sacramento	Legal Delta	Delta Smelt	BDFWO
Sacramento	Other	All	By jurisdiction (see map)
San Francisco	Tidal wetlands/marsh adjacent to San Francisco Bay	Salt marsh species, delta smelt	BDFWO

San Francisco	All ownerships but tidal/estuarine	All	SFWO
San Mateo	Tidal wetlands/marsh adjacent to San Francisco Bay	Salt marsh species, delta smelt	BDFWO
San Mateo	All ownerships but tidal/estuarine	All	SFWO
San Joaquin	Legal Delta excluding San Joaquin HCP	All	BDFWO
San Joaquin	Other	All	SFWO
Santa Clara	Tidal wetlands/marsh adjacent to San Francisco Bay	Salt marsh species, delta smelt	BDFWO
Santa Clara	All ownerships but tidal/estuarine	All	SFWO
Shasta	Shasta Trinity National Forest except Hat Creek Ranger District (administered by Lassen National Forest)	All	YFWO
Shasta	Hat Creek Ranger District	All	SFWO
Shasta	Bureau of Reclamation (Central Valley Project)	All	BDFWO
Shasta	Whiskeytown National Recreation Area	All	YFWO
Shasta	BLM Alturas Resource Area	All	KFWO

Shasta	Caltrans	By jurisdiction	SFWO/AFWO
Shasta	Ahjumawi Lava Springs State Park	Shasta crayfish	SFWO
Shasta	All other ownerships	All	By jurisdiction (see map)
Shasta	Natural Resource Damage Assessment, all lands	All	SFWO/BDFWO
Sierra	Humboldt Toiyabe National Forest	All	RFWO
Sierra	All other ownerships	All	SFWO
Solano	Suisun Marsh	All	BDFWO
Solano	Tidal wetlands/marsh adjacent to San Pablo Bay	Salt marsh species, delta smelt	BDFWO
Solano	All ownerships but tidal/estuarine	All	SFWO
Solano	Other	All	By jurisdiction (see map)
Sonoma	Tidal wetlands/marsh adjacent to San Pablo Bay	Salt marsh species, delta smelt	BDFWO
Sonoma	All ownerships but tidal/estuarine	All	SFWO
Tehama	Mendocino National Forest	All	AFWO
	Shasta Trinity National Forest		

Tehama	except Hat Creek Ranger District (administered by Lassen National Forest)	All	YFWO
Tehama	All other ownerships	All	By jurisdiction (see map)
Yolo	Yolo Bypass	All	BDFWO
Yolo	Other	All	By jurisdiction (see map)
All	FERC-ESA	All	By jurisdiction (see map)
All	FERC-ESA	Shasta crayfish	SFWO
All	FERC-Relicensing (non-ESA)	All	BDFWO
*Office Leads:			
AFWO=Arcata Fish and Wildlife Office			
BDFWO=Bay Delta Fish and Wildlife Office			
KFWO=Klamath Falls Fish and Wildlife Office			
RFWO=Reno Fish and Wildlife Office			
YFWO=Yreka Fish and Wildlife Office			

Attachment



United States Department of Interior
Fish and Wildlife Service
Project name: Centennial Corridor - Stockdale and Enos

Official Species List

Provided by:
Sacramento Fish and Wildlife Office
FEDERAL BUILDING
2800 COTTAGE WAY, ROOM W-2605
SACRAMENTO, CA 95825
(916) 414-6600

Consultation Code: 08ESMF00-2015-SLI-0798
Event Code: 08ESMF00-2015-E-03758

Project Type: TRANSPORTATION

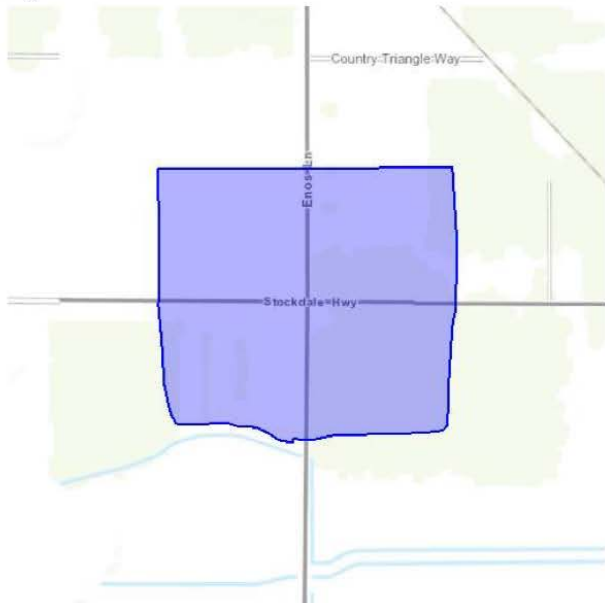
Project Name: Centennial Corridor - Stockdale and Enos
Project Description: The California Department of Transportation (Caltrans) proposes to establish a new alignment for State Route 58, which would provide a continuous route along State Route 58 from Interstate 5 via the Westside Parkway to Cottonwood Road on existing State Route 58, east of State Route 99 (post miles T31.7 to R55.6). Improvements to the Stockdale Highway/State Route 43 (known locally as Enos Lane) intersection would be made to accommodate additional traffic.

Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior
Fish and Wildlife Service
Project name: Centennial Corridor - Stockdale and Enos

Project Location Map:



Project Coordinates: The coordinates are too numerous to display here.
Project Counties: Kern, CA



United States Department of Interior
Fish and Wildlife Service
Project name: Centennial Corridor - Stockdale and Enos

Endangered Species Act Species List

There are a total of 13 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Amphibians	Status	Has Critical Habitat	Condition(s)
California red-legged frog (<i>Rana draytonii</i>) Population: Entire	Threatened	Final designated	
Birds			
Southwestern Willow flycatcher (<i>Empidonax traillii extimus</i>) Population: Entire	Endangered	Final designated	
Crustaceans			
Vernal Pool fairy shrimp (<i>Branchinecta lynchi</i>) Population: Entire	Threatened	Final designated	
Fishes			
Delta smelt (<i>Hypomesus transpacificus</i>) Population: Entire	Threatened	Final designated	
Flowering Plants			
California jewelflower (<i>Caulanthus californicus</i>)	Endangered		



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Project name: Centennial Corridor - Stockdale and Enos

San Joaquin woolly-threads (<i>Monolopia (=lembertia) congonii</i>)	Endangered		
San Mateo thommint (<i>Acanthomintha obovata ssp. duttonii</i>)	Endangered		
Mammals			
Buena Vista Lake Omate Shrew (<i>Sorex ornatus relictus</i>) Population: Entire	Endangered	Final designated	
Giant kangaroo rat (<i>Dipodomys ingens</i>) Population: Entire	Endangered		
San Joaquin Kit fox (<i>Vulpes macrotis mutica</i>) Population: wherever found	Endangered		
Tipton kangaroo rat (<i>Dipodomys nitratoides nitratoides</i>) Population: Entire	Endangered		
Reptiles			
Blunt-Nosed Leopard lizard (<i>Gambelia silus</i>) Population: Entire	Endangered		
Giant Garter snake (<i>Thamnophis gigas</i>) Population: Entire	Threatened		

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United States Department of Interior
Fish and Wildlife Service

Project name: Centennial Corridor - Stockdale and Enos

Critical habitats that lie within your project area

There are no critical habitats within your project area.

<http://ecos.fws.gov/ipac>, 09/29/2015 02:58 PM



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, California 95825-1846



In Reply Refer To:
08ESMF00-2013-F-0373

DEC 20 2013

Mr. Javier Almaguer
Chief, Central Region Biology South Branch
California Department of Transportation, District 6
855 M Street, Suite 200
Fresno, California 93721

Subject: Formal Consultation for the Centennial Corridor Project (part of the Thomas Roads Improvement Program [TRIP]), City of Bakersfield, Kern County, California (California Department of Transportation EA 06-48460; 06-KERN-58-PM T31.7 to PM 55.6; 06-KERN-99-PM 21.2 to PM 26.2)

Dear Mr. Almaguer:

This is the U.S. Fish and Wildlife Service's (Service) response to the California Department of Transportation's (Caltrans) request for initiation of formal consultation on the proposed Centennial Corridor Project (project) in Kern County, California.

The Moving Ahead for Progress in the 21st Century Act (MAP-21) was signed into law on July 16, 2012. Caltrans was approved to participate in the MAP-21 Surface Transportation Project Delivery Program through the National Environmental Policy Act (NEPA) assignment Memorandum of Understanding (MOU) between the Federal Highway Administration (FHWA) and Caltrans (effective October 1, 2012), as codified in 23 U.S.C. 327. The MOU allows Caltrans to assume the FHWA's responsibilities under NEPA as well as FHWA's consultation and coordination responsibilities under Federal environmental laws for the majority of transportation projects in California.

This project is part of the larger Thomas Roads Improvement Program (TRIP), a collection of six road improvement projects designed to meet the long-term transportation needs of the greater City of Bakersfield (City) area; four projects have already completed consultation and one other is beginning consultation. TRIP is a cooperative effort between the City, County of Kern, Caltrans, and the Kern Council of Governments. Your letter, dated July 16, 2013, providing additional information and requesting the initiation of formal consultation, was received in this office on July 22, 2013. At issue are potential effects to the federally-listed as endangered San Joaquin kit fox (*Vulpes macrotis mutica*). This document represents the Service's biological opinion on the effects of the proposed project on the listed species. This document has been

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prepared in accordance with section 7(a)(2) of the Endangered Species Act of 1973, as amended (16 U.S.C. § 1531 *et seq.*) (Act).

The findings and recommendations of this biological opinion are based on: (1) the consultation between Caltrans and the Service; (2) the biological opinions for the first four TRIP projects for which consultation has been completed: the *Morning Drive/State Route 178 Interchange Project*, issued to Caltrans on August 18, 2011, the *State Route 58 Rosedale Highway Widening Project*, issued to Caltrans on April 24, 2012, the *SR 178 Widening Project*, issued to Caltrans on August 10, 2012, and the *24th Street Improvement Project*, issued to Caltrans on September 21, 2012; and (3) other information available to the Service.

Caltrans has determined that the project is likely to adversely affect the San Joaquin kit fox. The Service has reviewed the proposed project and concurs with Caltrans' determination.

Caltrans has determined that the proposed project will have no effect on the California jewelflower (*Caulanthus californicus*), the Kern mallow (*Eremalche kernensis*), the San Joaquin woolly-threads (*Monolopia congdonii*), and the Bakersfield cactus (*Opuntia basilaris* var. *treleasei*) based on the results of botanical surveys and the distance of recorded occurrences from the project footprint. Focused botanical surveys were conducted for the corridor portion of the project first in 2008 on March 24, 27, and 28, and on May 15, 21, and 22; and then in 2009 from March 24-27 and from May 5-7. Additional, more recent focused botanical surveys were conducted at the Stockdale Highway/State Route 43 (Enos Lane) intersection portion of the project on March 27 and June 4, 2012. No detections of the species were made at either location. Surveys were conducted in the appropriate blooming periods and followed standard methods in accordance with the California Department of Fish and Wildlife's (CDFW; formerly the California Department of Fish and Game [CDFG]) revised 2009 *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities*, and the California Native Plant Society's 2001 *Botanical Survey Guidelines*.

According to the California Natural Diversity Database (CNDDDB; CDFW, 2013), the closest recorded historic occurrence of the California jewelflower to the project footprint is approximately 4.5 miles (mi) away. Additionally, the closest two recorded occurrences of the Kern mallow (dating from 1994 and 2008) are approximately 1.4 mi and 1.6 mi from the project footprint, respectively; the closest recorded occurrence of the San Joaquin woolly-threads (dating from 2009) is approximately 1.4 mi from the footprint; and the closest recorded occurrence of the Bakersfield cactus (dating from 1989) is approximately 4.2 mi from the project footprint.

Because habitat in the project area is still considered to be marginally suitable and provides the potential for these species to establish in the future, Caltrans has incorporated an additional minimization measure specifically addressing these plants. The measure is further described under the *Proposed Avoidance and Minimization Measures* section.

If changes are made to the proposed project or if new information becomes available such that adverse effects to the California jewelflower, the Kern mallow, the San Joaquin woolly-threads, and the Bakersfield cactus have occurred, or are likely to occur, then Caltrans must initiate

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formal consultation for these listed plant species. The remainder of this biological opinion will address the effects of the proposed project on the San Joaquin kit fox.

Consultation History

TRIP background and coordination

November 20, 2007. The Service, Caltrans, AECOM, Parsons/TRIP, the CDFW, and the City (participating agencies) met. Parsons/TRIP requested that AECOM develop a strategy memo addressing compliance with the Act; Caltrans and the Service agreed that TRIP should take a project-specific approach. All participants agreed that a San Joaquin kit fox technical study for all TRIP projects should be conducted by AECOM, in conjunction with support from the Endangered Species Recovery Program (ESRP); such a study would be useful for supporting conclusions in future TRIP project BAs.

August 26, 2008. AECOM presented preliminary results of the San Joaquin kit fox surveys to the participating agencies. This included a presentation of the methodologies, data, and effects analysis strategy and mitigation options. The Service identified habitat connectivity and the maintenance of corridors connecting San Joaquin kit fox populations as a major issue facing the species in Bakersfield. Participants discussed potential compensatory mitigation options, including culverts, refugia, and artificial kit fox dens.

September 10, 2009. The participating agencies met. Discussion focused on the early July 2009, *Draft Thomas Roads Improvement Program San Joaquin Kit Fox Life History, Effects Analysis, and Conceptual Mitigation Strategy* (2009 Draft Strategy Plan).

October 7, 2009. The Service issued a concurrence letter approving the conceptual framework for the San Joaquin kit fox compensation strategy plan outlined in the 2009 Draft Strategy Plan.

February 26, 2010. The Service received two hard copies of the comprehensive February 2010 *Draft Thomas Roads Improvement Program San Joaquin Kit Fox Effects Analysis, Mitigation Strategy, and Implementation Plan* (2010 Draft Implementation Plan).

March 11, 2010. The participating agencies met at the CDFW office in Fresno to discuss the 2010 Draft Implementation Plan; topics included an overview of the 2010 Draft Implementation Plan, potential issues with the Metro-Bakersfield Habitat Conservation Plan (MBHCP) expiration date, and funding for the proposed Sump Habitat Program (SHP).

April 12-13, 2010. AECOM sent an electronic-mail (e-mail) to the Service and the CDFW to request guidance on what AECOM could use as a template for developing a long term management plan for the SHP. AECOM suggested using the U.S. Army Corps of Engineers' (Corps) template. The Service replied on April 13 to confirm that this was acceptable, and provided a management plan outline illustrating what the Service would expect to see in a potential management plan.

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May 5, 2010. An informal conference call was held between AECOM and the Service to discuss recent developments that would be covered in the upcoming meeting that the Service would be unable to attend: Parsons/TRIP had successfully presented the six projects to the MBHCP Trust Group; the real estate meeting between AECOM and the City resulted in the discovery that easements on four of the 19 sumps were owned outright by the City, four were owned by the City but had deed restrictions; and 11 were not owned by the City. AECOM also had specific questions regarding what the Service would look for in the upcoming BA.

May 11, 2010. The participating agencies met at the CDFW office in Fresno to discuss the SHP.

July 14, 2010. A meeting was held at the SFWO amongst all the participating agencies. Parties agreed on the content of the project BA regarding avoidance and minimization measures and a general description of the SHP, compensation, eventual inclusion of a third chapter in the 2010 Draft Implementation Plan describing the finalized SHP in detail, endowment/easement updates, and schedules.

August 18, 2010. The participating agencies met at the CDFW's Fresno office to discuss the latest developments in compliance, BA preparation, and the SHP. Major topics included TRIP eligibility for participation in the MBHCP, BA content, and further details concerning the SHP (e.g. easement and program management, endowments, and sump selection).

September 15, 2010. The CDFW contacted the Service with information concerning language in accordance with the California Endangered Species Act (CESA) that the CDFW would like to see included in the project biological opinion so that it would be able to issue a Consistency Determination (CD) and avoid undertaking a lengthier 2081 Incidental Take Permit process. The Service responded to discuss this information with the CDFW.

September 30, 2010. The Service, AECOM, Parsons/TRIP, and Caltrans held a conference call to discuss paying MBHCP compensation fees for the six TRIP projects in advance of the 2014 MBHCP expiration. Although the construction schedule for at least one project is not anticipated to begin until after 2014, it still could be compensated for prior to the expiration date. In a revised September 1, 2010, letter which included details of all six projects and compensation ratios, a blanket concurrence from the MBHCP Trust Group to use the MBHCP was given to the City and Caltrans. The Service suggested that an MOU with all parties involved could be implemented for paying fees in advance and provided an MOU template to AECOM.

October 22, 2010. The Service met internally to discuss the need for an MOU/memorandum of agreement (MOA) between the Service, Caltrans and the City regarding MBHCP compensation. It decided that it would be more appropriate to have an agreement between the City and Caltrans and the MBHCP Trust Group to avoid pre-decisional commitments by the Service.

December 8, 2010. The Service e-mailed Caltrans to request a copy of the *Draft Thomas Roads Improvement Program Mitigation for Cumulative Effects to the San Joaquin Kit Fox* (Draft SHP Plan), dated September 2, 2010, which outlines the basic conceptual framework for the proposed SHP. Caltrans e-mailed a copy and stated this would later be incorporated into a third chapter in the 2010 Draft Implementation Plan.

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January 20, 2011. The Service e-mailed Caltrans and AECOM to provide them with an update on what the SFWO had concluded regarding the concerns with CDs, CESA language, and BOs: the Service stated it would not include the CDFW's conditions in the Terms and Conditions of its biological opinions; however, the CDFW's conditions could be included in the project description and conservation measures. The Service does not have the authority to use the type of language the CDFW is looking for (e.g. financial assurances, letters of credit) as terms and conditions to minimize incidental take.

January 25, 2011. E-mails were exchanged between AECOM, the CDFW, and the ESRP concerning fence design for the SHP. The CDFW was concerned that the proposed 8x8 inch gaps were too big and would allow predator species in the sump locations. The CDFW suggested that 4x6 inch or 5x5 inch gaps would be more appropriate. The ESRP responded that 4x6 inch openings would be fine, but 6x6 inch openings would be better for the San Joaquin kit fox and would still exclude predators. AECOM noted that the gap design objective for the sumps was different from that for the road design modifications (keeping predators out versus maintaining movement and permeability).

March 21, 2011. Caltrans informed the Service that following a meeting with the CDFW to discuss the project, Caltrans had decided not to pursue a 2081 Incidental Take Permit or a CD under CESA with the CDFW, as it had determined that take of the San Joaquin kit fox, as defined under CESA, could be avoided.

June 22, 2011. A meeting was held at the SFWO and attended by the Service, AECOM, Parsons/TRIP, the City, and Caltrans. Participants discussed updates regarding the status of the TRIP projects, the SHP, conservation easements and endowments, future work products, and possible additional funding support for the TRIP projects.

July 1, 2011. AECOM e-mailed draft notes from the June 22 meeting for circulation and comment.

January 30, 2012. A meeting was held at the SFWO and attended by the Service, AECOM, Parsons/TRIP, the City, and Caltrans. Participants discussed updates regarding the status of all the TRIP projects, the resolution of encumbrances, options for providing long-term conservation assurances, potential funding mechanisms, the proposed schedule for continued development and eventual implementation of the SHP, and preparation of the Long-Term Management Plan.

February 20, 2012. AECOM e-mailed draft notes and action items from the January 30 meeting for circulation and comment.

Project-specific coordination

April 16, 2013. The Service received a letter from Caltrans requesting initiation of formal consultation for the current project. The request included a biological assessment (BA) titled *Centennial Corridor Project, State Route 99 to Interstate 5 Biological Assessment*, dated March 2013, and prepared by the consultant, BonTerra Consulting.

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May 16, 2013. The Service emailed Caltrans to inquire why three different alternatives were presented in the BA. The Service emphasized that it could not consult on multiple alternatives and therefore consultation could not proceed until an alternative was selected and a specific project defined.

May 20 - June 3, 2013. The Service and Caltrans continued to discuss the issue of the alternatives.

June 5, 2013. Caltrans informed the Service that it had selected Alternative B.

June 18, 2013. The Service emailed Caltrans with a request for additional information and clarifications regarding the BA.

July 22, 2013. The Service received a letter from Caltrans responding to the Service's June 18 request for additional information and inquiring if the project was now deemed complete such that Caltrans could initiate formal consultation. Included with the letter were a comment resolution form and a revised copy of the BA.

July 24, 2013. The Service confirmed with Caltrans that the project initiation package was considered complete and that formal consultation was initiated on July 22.

November 21, 2013. The Service emailed Caltrans to follow-up with several project clarification questions.

December 6, 2013. Caltrans emailed the Service the consultant's responses to the Service's November 21 request.

BIOLOGICAL OPINION

Proposed Project

The City, in coordination with Caltrans, proposes to construct a new freeway corridor connecting the eastern end of a local freeway, known as the Westside Parkway, to the existing State Route (SR) 58 (East) freeway. In conjunction with this, the project also proposes to improve the intersection at Stockdale Highway and SR 43 (known locally as Enos Lane) in order to accommodate additional traffic. The purpose of the project is to improve route continuity along SR 58 between SR 99 and Interstate (I)-5 within Metropolitan Bakersfield and wider Kern County. SR 58 is a critical highway in the State transportation network used by interstate travelers, commuters, and truckers, but it currently lacks continuity in central Bakersfield, which results in severe traffic congestion and reduced levels of service on adjoining highways and local streets.

Centennial Corridor (Segment 1)

Caltrans has selected the approximately 8.6 mi long Alternative B as the build alternative for the corridor construction. This will involve building a six-lane freeway heading west from the

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Centennial Corridor (Segment 1)

Caltrans has selected the approximately 8.6 mi long Alternative B as the build alternative for the corridor construction. This will involve building a six-lane freeway heading west from the existing SR 58/SR 99 interchange for approximately 1,000 feet (ft.) along an alignment situated south of Stockdale Highway, then heading northwest and spanning Stockdale Highway/Stine Road, California Avenue, Commerce Drive, Truxtun Avenue, and the Kern River, and finally joining the east end of the Westside Parkway between the Mohawk Street and Coffee Road interchanges. The segment of SR 58 between California Avenue and Ford Avenue will be depressed (the roadway will be below grade) in order to minimize the visual effects of the corridor on the surrounding neighborhood. Overcrossings are proposed at Marella Way and La Mirada Drive to facilitate improved traffic circulation.

Alternative B also includes adding connections to SR 99 and improvements to SR 99 and the existing segment of SR 58. Linkages will be provided from northbound SR 99 to westbound SR 58 and from eastbound SR 58 to southbound SR 99 via high-speed connectors. Southbound SR 99 will be widened to accommodate additional traffic heading from eastbound SR 58 to the southbound SR 99 connector. The limits of widening on SR 99 will extend to the Wilson Road overcrossing. Ramps will need to be realigned to accommodate the additional constructed lanes. Several on- and off-ramps (e.g. Wible Road, south of the SR 58/SR 99 interchange; Stockdale Highway, on southbound SR 99 to eastbound SR 58 connector) are presently in conflict with Caltrans' standards of interchange spacing, and so will be removed.

Excavation associated with Alternative B will reach a maximum depth of 25 ft. near SR 58 between Stephens Drive and H Street in order to accommodate the widened ramps, as well as between California Avenue and Ford Avenue where the freeway will be constructed below the existing grade. On SR 99, the maximum depth of excavation will be approximately 18.5 ft. between Belle Terrace and Ming Avenue.

Stockdale Highway/SR 43(Enos Lane) Interchange

Improvements will include widening the intersection and adding signals to control traffic. This intersection currently operates at a deficient level of service due to its existing configuration. When the corridor segment of the project connects to the Westside Parkway, traffic volumes will increase on Stockdale Highway, so the improvements at this intersection are needed to accommodate the anticipated additional traffic demand. SR 43 will be expanded to add a dedicated left-turn lane in both directions, while Stockdale Highway will be widened to add a dedicated left-turn lane and a shared through/right-turn lane in both directions.

Other Project Elements

Detours, utilities, and drainage: Traffic detours will be implemented on existing streets; further details regarding these routes will be developed during later project design phases. The relocation and reconstruction of utilities and drainage facilities within the project right-of-way (ROW) will include power poles, underground utilities, and storm drains. Utility relocations are expected to be done without interruption to services and drainage improvements will involve

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operational Best Management Practices (BMPs). Eight new drainage basins will be installed throughout the project area to retain stormwater while six existing basins will be modified.

Borrow, Staging and Access: All borrow, disposal, vehicle access, staging, storage, utility relocations, and other construction activities will occur within the defined limits of disturbance, i.e. the project footprint.

Scheduling: According to Caltrans' anticipated project schedule, design was expected to begin in mid-2013 and be completed by mid-2015. Construction is then anticipated to start in 2016 and continue year-round through 2018.

Proposed Avoidance and Minimization Measures

According to the BA, the Draft SHP Plan, the 2010 Draft Implementation Plan, and measures previously established in the Morning Drive/SR 178 Interchange Project, SR 58 Rosedale Highway Widening Project, SR 178 Widening Project, and 24th Street Improvement Project biological opinions, in addition to further discussion with Caltrans, the City and Caltrans propose to implement protection provisions in order to minimize adverse effects to the San Joaquin kit fox. Several of these are developed, in part, from the Service's most recent guidelines; currently, this is the January 2011 *U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance* (Recommendations). Additional measures are developed to be project- or program-specific:

1. Caltrans will include Special Provisions that include the avoidance and minimization measures of this biological opinion when soliciting contractor bid packages.
2. Prior to project groundbreaking, a Service-approved biologist(s) will conduct updated protocol-level botanical surveys within the project footprint during the appropriate blooming periods for the following four species: the California jewelflower, the Kern mallow, the San Joaquin woolly-threads, and the Bakersfield cactus. Surveys will be conducted in accordance with the most current protocols accepted by the Service. The intention will be to discover any changes in, or new additions to, the floristic composition of federally-listed plant species at the project site.
3. Caltrans and the City will follow the construction and on-going operational requirements described in the Service's Recommendations.
4. No less than 30 days but no more than 60 days prior to road construction, a Service-approved biologist(s) will conduct preconstruction surveys for San Joaquin kit fox dens both in the project footprint and within 200 ft. of the footprint, inclusive of any utilities relocations. A letter report and map of known and potential San Joaquin kit fox dens will be submitted to the Service prior to the start of ground disturbance and/or construction activities. Repeat clearance surveys will be conducted no more than 14 days before construction or after any delays in construction of over two weeks. Any new known or potential San Joaquin kit fox dens identified in the interim will be reported to the Service in a letter report and map. If no new known or potential San Joaquin kit fox dens are

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approved biologist(s), and general survey findings. Records will be submitted to the Service upon request.

5. Disturbance to all San Joaquin kit fox dens will be avoided to the maximum extent possible. If known or potential dens are identified within the footprint during the 60-day and/or 14-day preconstruction surveys, Caltrans will request to monitor and excavate those dens that are expected to be affected directly by the project and cannot be avoided. Active dens will not be excavated during the natal season (approximately January 1 - June 30). The Service-approved biologist(s) will monitor potential dens for three consecutive nights using tracking medium and/or a remote sensor camera, will submit monitoring results in a letter report to the Service, and also will oversee the hand excavation of dens that have been determined vacant following approval by the Service. The Service-approved biologist(s) also will submit results of den excavation and exclusion activities in a letter report to the agencies. The following measures will be applied to dens that are not excavated:
 - a. Dens that are identified during preconstruction surveys of the project footprint boundary and a 200 ft. area outside of the project footprint will be monitored and protected by an exclusion zone around dens, as measured outward from the entrance or cluster of entrances of each den.
 - i. Potential and atypical dens within 50 ft. of the project footprint will be protected with a 50 ft. zone delineated by flagged stakes;
 - ii. Known dens within 100 ft. of the project footprint will be protected with a 100 ft. zone. To ensure protection, the exclusion zone will be demarcated by fencing/flagging that does not prevent access to the den by the San Joaquin kit fox. Acceptable designs will have openings for San Joaquin kit fox ingress/egress but will keep humans and equipment out, e.g. wooden posts connected with caution tape; orange construction cones; orange construction fencing with a mesh size less than 2 inches in diameter (to prevent the San Joaquin kit fox from becoming entangled in the fencing) with gaps every 50 ft. Fencing/flagging will be maintained until all construction-related disturbances have been terminated. At that time, all fencing/flagging will be removed to avoid attracting subsequent attention to the dens.
 - b. If natal/pupping dens are discovered either within the project footprint or within 200 ft. of the project footprint, Caltrans will immediately notify the Service.
6. The Service-approved biologist(s) will conduct a worker environmental awareness program for all construction crews prior to ground-disturbing activities, with the purpose of informing all crew members of the potential for the San Joaquin kit fox to occur on-site, the effects on the species from construction activities, how to minimize effects to the species, and the penalties for non-exempted take. The training will be repeated to all new

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crew members and annually to all crew members working in San Joaquin kit fox habitat. Crew members will sign an attendance sheet and confirm that they understand the protection measures and construction restrictions. Training materials and records of attendees will be submitted to the Service.

7. The Service-approved biologist(s) will monitor road construction on a daily basis and will verify that construction complies with the measures laid out in this biological opinion. The Service-approved biologist(s) will maintain a log of daily monitoring notes that can be summarized and transmitted to the Service by request.
8. Permeable fencing will be installed along the proposed ROW in all areas where there is known San Joaquin kit fox activity and lower traffic speeds/volumes. Permanent exclusionary fencing will be installed along the proposed ROW in high-density residential areas and/or in areas with higher traffic speeds/volumes. In all areas in need of new permeable fencing, at least one design option featured below will be adopted to provide the San Joaquin kit fox with passage and movement opportunities, and to minimize the potential to disrupt species movement and habitat fragmentation of the project area:
 - a. Elevate the bottom of the fence 5 inches above ground to allow unobstructed movement by the San Joaquin kit fox under the fence.
 - b. Install ground-level 8 x 8 inch wide gaps no more than 100 ft. apart along the length of the fence to allow for San Joaquin kit fox movement at regular intervals along the ROW.
 - c. Install fencing with a minimum mesh size of 3.5 x 7 inches, preferably 5 x 12 inches, to allow unlimited movement through the fence.
9. Curbed medians will be used as part of the project design and their height will be no greater than 10 inches. Either 6-inch high curbed medians with low vegetation or 10-inch high un-vegetated curbed medians will be constructed so as not to obstruct the visual field of the San Joaquin kit fox near the roadway. Curbed medians less than 10 inches in height and which require landscaping will be planted with low-level vegetation (i.e. less than 6 inches tall at maturity), or be mowed frequently to prevent overgrowth and provide an unobstructed line of sight for the species, or will have gaps installed measuring no less than 4 ft. wide every 12 ft. in areas landscaped with trees and shrubs.
 - a. If required, landscaping will be designed in conjunction with the curbed median design in order to allow unobstructed visibility to the San Joaquin kit fox and to maintain and/or enhance opportunities for movement across the roadway.
10. Median barriers will be required in some areas of the project for the purpose of public safety. The Caltrans-designed modified median barrier type 60/S will be used. Caltrans' type 60/S design previously has been utilized in other projects (e.g. reinitiated Biological

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Opinion for the State Route 99 Goshen to Kingsburg 6-Lane Project, in Tulare and Fresno Counties; Service File number 81420-2009-F-0752) and includes 9-inch radius openings (semicircular openings 9 inches high x 18 inches wide) spaced every 150 ft. to allow passage by the San Joaquin kit fox. Maintaining permeability in this manner will also reduce the potential to disrupt species movement and connectivity in the project area.

11. In areas of known San Joaquin kit fox activity and high traffic volumes and/or speeds, existing San Joaquin kit fox movement corridors like the canal channels and the Kern River, as well as railroad ROWs (e.g. BNSF), will be preserved through the use of bridges and/or culverts to facilitate crossings. Some segments of the canals under the new roadways will be converted from trapezoidal channels to box culverts; other segments of the canals with existing box culverts will be extended. Toe-of-road fill and bridge support walls will be maintained and new walls will be designed no less than 20 ft. from the centerlines of canal access roads and railroads.

- a. An elevated bridge currently exists at the location where the Westside Parkway crosses the trapezoidal channel of the Friant-Kern Canal. Species access will continue to be provided along an elevated access road located parallel to the canal.
- b. An above-grade bridge will be constructed over the trapezoidal channel of the Stine Canal. This will allow the species to move freely below the roadway.
- c. An above-grade bridge (westbound Mohawk St. off-ramp) will be constructed over the Cross Valley Canal, which exists as a double box culvert. The Kern River corridor is located proximate to the canal and so it provides existing access for the species in the area; no additional crossing features are proposed at this canal site.
- d. Two design options are proposed for the location where the new roadway will cross the Carrier Canal: 1) box culvert → if this design is chosen, a crossing structure (with proposed 5 x 5 inch mesh size and 10 inch diameter escape pipes within a 60 inch diameter crossing culvert) will be installed to connect the access roads on the north side of the canal; 2) bridge → if this design is chosen, no additional crossing features will be necessary since the elevated bridge above the trapezoidal canal will allow the species to move freely below the roadway.

The MBHCP Trust Group provided a letter to the City, dated December 3, 2010, in which it approved the ongoing use of the MBHCP for proposed compensation obligations for all TRIP projects; it also permitted payment to occur on an individual project basis after the approval of the final environmental document (FED) for each project. The City will pay the appropriate fee amount to the Trust Group and the Trust Group will acquire the required acreage amounts to be protected in perpetuity.

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12. Caltrans will verify that the City compensates for the permanent loss of 11.28 ac and temporary disturbance to 65.55 ac of habitat consisting of non-native grassland, riparian woodland/Great Valley cottonwood riparian forest, ruderal/disturbed areas, desiccated waterways, detention basins, and agricultural land suitable for the San Joaquin kit fox by purchasing 105.95 ac (using a 3:1 compensation ratio for permanent effects and 1.1:1 compensation ratio for temporary effects) through the MBHCP.

- a. Prior to construction, the limits of affected habitat acreage by vegetation type will be verified and delineated on a map, and submitted for approval to the Service. This will be done prior to its submittal to the City Planning Department for fee payment.

13. Upon completion of project construction, all areas subject to temporary ground disturbance, including storage and staging areas, will be restored to original grade and contour. Appropriate methods and plant species used to re-vegetate will be determined on a site-specific basis in consultation with re-vegetation experts.

14. To minimize opportunistic predatory effects to the San Joaquin kit fox, the City and Caltrans will condition contracts with contractors to require that trash be removed at least once daily from project areas and disposed of off-site so as not to attract predator species like coyotes (*Canis latrans*) and bobcats (*Lynx rufus*) to the project area.

15. The City and Caltrans will condition contracts with contractors to require that contained water sources, which are inaccessible to the San Joaquin kit fox (e.g. elevated water trucks), be used for dust control and other construction water activities.

The SHP will provide long-term habitat conservation for the urban San Joaquin kit fox population in the metro-Bakersfield area by focusing on sumps (i.e. stormwater drainage basins); sumps in Bakersfield are a functional habitat type for the species and many sumps are either currently known to support San Joaquin kit fox dens or offer potential denning opportunities. The City, in coordination with Caltrans, proposes to utilize the SHP to minimize collective effects to the San Joaquin kit fox engendered by all six TRIP road improvement projects. Conservation measures of the SHP include the installation of artificial dens in selected sumps, the enhancement of San Joaquin kit fox habitat by controlling vegetation in and around dens, the increase of San Joaquin kit fox accessibility to sumps through installation of fence/gate openings (with proposed dimensions of 6 x 6 inches to exclude predators like coyotes and medium- to large-sized dogs), and the reduction in the potential for effects to the species associated with regular maintenance activities and predation. The City provided a letter of commitment to the Service, dated August 10, 2010, fully supporting and providing assurance of the implementation and management of the SHP and its conservation efforts.

16. The basic conceptual framework for the SHP is described in the September 2010 Draft SHP Plan, which addresses five core conservation goals in detail that are integral to the implementation and success of the SHP: 1) the selection of sumps that maintain San Joaquin kit fox accessibility and/or habitat (i.e. those of high/medium conservation

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priority based on the relative potential for minimizing program-level effects); 2) the installation and maintenance of San Joaquin kit fox enhancement features (i.e. fence/gate gaps, artificial dens, conservation zones, signs, and enhancement maintenance and repair); 3) the management of sump vegetation compatible with San Joaquin kit fox presence and/or use (i.e. performance of routine maintenance outside the San Joaquin kit fox natal season and the use of hand tools in conservation zones and new active dens); 4) the biological monitoring and reporting of results (i.e. pre-maintenance surveys; den monitoring and supervised den excavation; environmental awareness training; maintenance monitoring; annual enhancement inspection; annual San Joaquin kit fox sump use monitoring; and annual reporting); and 5) the provision of long-term conservation assurances (i.e. individual conservation easements for each sump; a perpetual non-wasting endowment for management, maintenance, and monitoring costs associated with ongoing implementation; and a Service-approved Long-Term Management Plan. The proposed easement and endowment holder(s) will be Service-approved third-party organizations). Further details in regards to these five core measures can be found in the Draft SHP Plan.

- a. The SHP will continue to be updated, refined, and ultimately finalized through an ongoing collaborative consultation process involving Caltrans, the City, Parsons/TRIP, and the Service over the course of the final remaining TRIP project.
- b. The finalized SHP will be established and implemented within one year of the approval of the FED for the last of the six TRIP projects; the City will fully fund the SHP within one year of this approval. Caltrans and the City will share responsibility for the SHP; Caltrans will adhere to the proposed avoidance and minimization measures and terms and conditions of this biological opinion and will be responsible for the overall implementation of the SHP, while the City will be responsible for enhancing sumps and conducting long term management of the SHP. A Service-approved third-party will be responsible for administering endowment funds and providing compliance oversight with the terms of the conservation easements for each sump in the SHP.

Action Area

The action area is defined in 50 CFR § 402.02, as “all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action.” The action area for this project is composed of the project footprint, which includes the limits of construction for the proposed freeway corridor (alternative B) and the Stockdale Highway/SR 43 intersection within the existing and proposed Caltrans ROW, plus a temporary construction area extending 25 ft. out from the edge of the construction boundaries to allow for equipment maneuvering. Habitat types within the footprint include non-native grassland, riparian woodland/Great Valley Cottonwood riparian forest, disturbed/ruderal land, agricultural areas, developed/ornamental areas, waterways (e.g. segments of the Kern River and canals), and detention basins. The action area also includes portions of these lands that extend approximately 200 ft. from the project

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footprint which will experience further-reaching effects of new road construction and intersection improvements such as noise and visual disturbance.

Analytical Framework for the Jeopardy/No Jeopardy Determination

In accordance with policy and regulation, the following analysis relies on four components to support the jeopardy/no jeopardy determination for the San Joaquin kit fox: (1) the *Status of the Species*, which evaluates the species’ range-wide conditions, the factors responsible for those conditions, and its survival and recovery needs; (2) the *Environmental Baseline*, which evaluates the condition of the species in the action area, the factors responsible for that condition, and the role of the action area in the species’ survival and recovery; (3) the *Effects of the Action*, which determines the direct and indirect effects of the proposed Federal action and the effects of any interrelated or interdependent activities on the species; and (4) *Cumulative Effects*, which evaluates the effects of future, non-Federal activities in the action area on the species.

In accordance with policy and regulation, the jeopardy/no jeopardy determination is made by evaluating the effects of the proposed Federal action in the context of the species’ current status, taking into account any cumulative effects, to determine if implementation of the proposed action is likely to cause an appreciable reduction in the likelihood of both the survival and recovery of the San Joaquin kit fox in the wild.

The following analysis places an emphasis on consideration of the range-wide survival and recovery needs of the species and the role of the action area in meeting those needs as the context for evaluating the significance of the effects of the proposed Federal action, combined with cumulative effects, for purposes of making the jeopardy/no jeopardy determination. In short, a non-jeopardy determination is warranted if the proposed action is consistent with maintaining the role of habitat for the species’ populations in the action area for the survival and recovery of the species.

Status of the Species

Refer to the *San Joaquin Kit Fox (Vulpes macrotis mutica) 5-Year Review: Summary and Evaluation* (Service, 2010) for the current Status of the Species. The 5-Year Review provides a description of the species, including its distribution, habitat requirements and other life history information, current threats, an analysis of progress made in recovering the species, and recommendations for recovery actions over a future five year period.

The urban Bakersfield San Joaquin kit fox population is the only substantial population of the species known to occur outside the core areas of western Kern, Carrizo Plain Natural Area, and Ciervo-Panoche (Cypher and Warrick, 1993; Cypher *et al.*, 2000), which contain significantly greater areas of less disturbed natural habitat. The Bakersfield population therefore comprises a important satellite population also identified as significant for recovery of the species.

According to the CNDDDB (2013) there are 48 recorded occurrences of the San Joaquin kit fox within the Gosford, Lamont, Tupman. and Stevens United States Geological Survey (USGS) 7.5 minute quadrangles, in which the action area is located; these numerous species observations are

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located all around the project site. The closest record is from 2006 and is located approximately 0.7 mi from the project footprint. Within the vicinity of the action area, one potential den, four presumed active dens, and six incidences of San Joaquin kit fox sign were identified during a survey conducted in September 2008 by AECOM; these were all found in open spaces along the Kern River between approximately Mohawk Street and 24th Street. Data adapted from Bjurlin *et al.* (2005) in the 2010 Draft Implementation Plan also identified three nearby instances of San Joaquin kit fox vehicle-related mortalities on the south side of the Kern River near Mohawk Street and Truxtun Avenue.

As an area where the San Joaquin kit fox has adapted to the urban environment, traffic-related incidents have been and will continue to be the primary source of mortality in Bakersfield (Cypher, 2000; Bjurlin *et al.*, 2005). Other dangers posed by the urban environment of the metro-Bakersfield area include predation from domestic dogs and entanglement in playing field and schoolyard equipment like soccer nets. We are aware of eight separate Federal actions concerning effects to the San Joaquin kit fox, located in the immediate vicinity of the action area, that have previously completed consultation with the Service: the Westside Parkway Project (Service file number 1-1-98-F-0139; as reinitiated and amended 1-1-00-F-0185, 1-1-04-F-0194, 81420-2008-F-0368-27, 81420-2008-F-0368-28); the reinitiation of Phase 4 of the Westside Parkway Project (Service file number 81420-2008-F-0368-R001-1); the California Avenue On-Ramp Project (Service file number 81420-2011-I-0527-1); the SR 58 Rosedale Highway Widening Project (Service file number 08ESMF00-2012-F-0049); the 24th Street Improvement Project (Service file number 08ESMF00-2012-F-0290); the Cawelo Water District Calloway Canal Lining Project (Service file number 08ESMF00-2013-I-0135); the Big West-Flying J Clean Fuels Refinery Upgrade Project (Service file number 81420-2008-F-0616); and the Bakersfield Emergency Bridge and Utility Repair Project (Service file number 08ESMF00-2012-IE-0601).

Environmental Baseline

Contiguous tracts of undisturbed habitat suitable for the San Joaquin kit fox existed in the action area to a greater extent prior to the origination and expansion of urban development in central Bakersfield. It is reasonably likely that the conversion of natural lands to residential, industrial, commercial, and agricultural areas and the introduction of transportation infrastructure such as the initial construction of SR 99 and SR 58, in addition to networks of arterial roads, have affected the species. Ongoing urbanization has continued to result in habitat loss and fragmentation while roadway- and vehicle-related risks pose threats of injury and mortality to the species. Of the habitat types that will be affected directly by the project, non-native grassland comprises approximately 66 percent of the total action area acreage still considered to be suitable for use by the San Joaquin kit fox; ruderal/disturbed areas comprise approximately 23 percent of the total acreage; and segments of waterways (e.g. the Kern River channel and canal beds), riparian woodland/Great Valley Cottonwood riparian forest, three detention basins, and agricultural lands make up the remaining total habitat.

Despite the continuation of these effects, the action area nevertheless provides suitable denning and foraging habitat for the San Joaquin kit fox; furthermore, San Joaquin kit fox sign has been

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identified in the action area. Although the CNDDDB (2013) has no records of the species or its sign within the action area, information from the MBHCP database, as illustrated in the 2010 Draft Implementation Plan, shows that there are multiple San Joaquin kit fox records documented within the proposed corridor footprint. The corridor portion of the project was surveyed on September 17, 2008, and the Stockdale Highway/SR 43 intersection portion was surveyed more recently on April 4, 2012 since this additional component of the project was added after the initial surveys were conducted. Surveys followed a methodology established for all of the TRIP projects and approved by the Service and the CDFW as described in the 2010 Draft Implementation Plan. These surveys identified three potential dens in the corridor portion of the project along the Kern River near Mohawk Street and adjacent grasslands and in City Basin 143, as well as two incidences of San Joaquin kit fox sign.

San Joaquin kit foxes in Bakersfield have been found to move along linear habitat features. The Kern River corridor is an established natural movement corridor that the San Joaquin kit fox utilizes in the action area. The river channel consists of an open, sandy wash, with segments either sparsely vegetated or else devoid of vegetation. Segments of five constructed, unlined canals and one concrete-lined canal run through the action area; according to the 2010 Draft Implementation Plan, these canals (Cross Valley, Carrier, Stine, Kern Island, Central Branch Kern Island, and Friant-Kern) also serve as recognized movement corridors for the San Joaquin kit fox. At the time of vegetation mapping surveys in the spring of 2008 and 2009, four of these canals, with the exceptions of the Cross Valley and Friant-Kern Canals, did not contain water, but signs indicated that they do so intermittently. They also appeared to be regularly maintained by disking or mowing.

The Service anticipates that the San Joaquin kit fox is reasonably certain to occur in the action area based on the biology and ecology of the species; the presence of suitable habitat for denning and foraging, and known corridors for movement; and the documentation of San Joaquin kit fox sign in the action area.

Effects of the Proposed Action

Habitat Loss and Disturbance

The proposed project is likely to result in a number of adverse effects to the San Joaquin kit fox. Construction work, such as the excavation, filling, and paving activities associated with constructing the new freeway corridor, adding connections to SR 99, improving existing segments of SR 99 and SR 58, and improving the Stockdale Highway/SR 43 intersection will result in the permanent loss of 11.28 ac of suitable habitat for the San Joaquin kit fox; there also will be temporary disturbance to 65.55 ac of suitable habitat due to activities such as grading, staging, and access. Temporary disturbance is defined here as a short-term event in which effects do not degrade the habitat beyond its ability to recover after completion of project construction. Because the project is anticipated to last for significantly longer than one year, the disturbance to habitat areas will be ongoing and therefore the habitat will likely take longer to recover. Therefore, it is reasonable to expect this disturbance to result in harm to the San Joaquin kit fox.

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Based on currently available information, there are three potential dens within the project footprint that are likely to be permanently eliminated during construction. If a large number of known or potential dens are identified in the project footprint during preconstruction surveys and require excavation (following appropriate monitoring), their destruction would remove shelter and cover for the species. This would be reasonably likely to adversely affect local San Joaquin kit fox survival by reducing the number and distribution of escape refuges from predators.

To offset the loss of habitat, the City, through participation in the MBHCP, will purchase conservation land that is of commensurate or higher quality to the habitat lost due to project construction, ensuring that the species can continue to breed, feed, shelter, and meet all its life cycle functions. The MBHCP’s goal is to acquire, preserve, and enhance large, contiguous native habitats that support listed and sensitive species like the San Joaquin kit fox. The City, in coordination with Caltrans, is also developing the SHP, a comprehensive and extensive conservation plan specifically designed to address habitat loss and effects to the San Joaquin kit fox. The SHP will reduce and minimize the collective construction effects deriving from the six TRIP projects in the metro-Bakersfield area by protecting and enhancing sumps (identified as a crucial habitat type for the urban Bakersfield San Joaquin kit fox population) located throughout the City through easement holdings. Participation in the MBHCP and implementation of the SHP will preserve and enhance suitable San Joaquin kit fox habitat and will contribute to protecting and managing the habitat for the conservation of the species in perpetuity. These lands also will help maintain the geographic distribution of the species and will contribute to the recovery of the species.

Entombment and Strikes

Since suitable denning habitat and potential San Joaquin kit fox dens exist in the action area, it is important that effects are reduced to the greatest extent possible. With the implementation of proposed conservation measures such as preconstruction surveys, den monitoring, exclusion zones, and hand excavation of vacant dens, the risk of crushing or entombing the San Joaquin kit fox in dens (natural and man-made) during groundbreaking activities and construction is not reasonably likely to occur.

The proposed conservation measures are designed to minimize the risk of construction vehicle strikes. Therefore, it is not reasonably likely that the species will be hit by project equipment or vehicles while occupying or moving through the action area.

Road Mortality

Injury and mortality are likely to occur to the San Joaquin kit fox when individuals attempt to cross roads. Each highway and roadway associated with the construction of the new corridor and the accompanying improvements (e.g. SR 99, SR 58, Westside Parkway) is already an existing hazard for this widely ranging, dispersing species, and each highway/roadway will continue to be a hazard for the San Joaquin kit fox. With the creation of the Centennial Corridor, this too will introduce hazards to the species and it is reasonably likely that the species will be struck by vehicles on the new roadway.

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However, to reduce the risk of injury and mortality to the San Joaquin kit fox that will stem specifically from vehicle strikes on the new roadway, Caltrans has developed the best available information to incorporate into the project through discussions with the ESRP, the Service, the CDFW, the City, and a previous consultant, AECOM. Using various methods of on-site project design modifications relating to permeability and connectivity, Caltrans has integrated measures believed to present the greatest value to the species in the context of the project. Because the action area is known to be used by the San Joaquin kit fox, and a portion of the new corridor alignment is within a known San Joaquin kit fox concentration area (Cypher, pers. comm., 2009a), the primary objectives of these modifications are to provide opportunities for the San Joaquin kit fox to cross the roadway in spite of construction effects; to minimize the potential for an increase in vehicular injury and mortality (although it is not possible to quantify the extent to which these will be minimized); and to maintain San Joaquin kit fox movement through preserving existing physical corridors such as the Kern River and canals that the species can safely continue to utilize.

Cumulative Effects

Cumulative effects include the effects of future State, Tribal, local, or private actions that are reasonably certain to occur in the action area considered in this biological opinion. Future Federal actions that are unrelated to the proposed action are not considered in this section because they require separate consultation pursuant to section 7 of the Act.

The Service is not aware of any future non-Federal actions currently planned specifically in the action area that will further directly affect the San Joaquin kit fox or remove or disturb its habitat.

Conclusion

Conservation measures set forth for implementation before, during, and following project work; project design modifications; and the SHP, which is intended to address the collective effects resulting from this and five other TRIP projects in the metro-Bakersfield area, will all serve to minimize both program- and project-level effects and the extent of take associated with the San Joaquin kit fox. After reviewing the current status of the San Joaquin kit fox, the environmental baseline for the action area for the species, the effects of the proposed project on the species, and the cumulative effects, it is the Service’s biological opinion that the project, as proposed, is not likely to jeopardize the continued existence of the San Joaquin kit fox.

INCIDENTAL TAKE STATEMENT

Section 9 of the Act and Federal regulation pursuant to section 4(d) of the Act prohibit the take of endangered and threatened species, respectively, without special exemption. Take is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. Harass is defined by FWS regulations at 50 CFR 17.3 as an intentional or negligent act or omission which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavior patterns which include, but are not limited to, breeding, feeding, or sheltering. Harm is defined by the same regulations

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as an act which actually kills or injures wildlife. Harm is further defined to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing essential behavior patterns, including breeding, feeding, or sheltering. Incidental take is defined as take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity. Under the terms of section 7(b)(4) and section 7(o)(2), taking that is incidental to and not intended as part of the agency action is not considered to be prohibited taking under the Act provided that such taking is in compliance with the terms and conditions of this Incidental Take Statement.

The measures described are nondiscretionary, and must be undertaken by Caltrans for the exemption in section 7(o)(2) to apply. Caltrans has a continuing duty to regulate the activity covered by this incidental take statement. If Caltrans (1) fails to assume and implement the terms and conditions, or (2) fails to require any of its contractors to adhere to the terms and conditions of the incidental take statement through enforceable terms that are added to the permit or grant document, the protective coverage of section 7(o)(2) may lapse. In order to monitor the impact of incidental take, Caltrans must report the progress of the action and its impact on the species to the Service as specified in the incidental take statement. [50 CFR §402.14(i)(3)].

Amount or Extent of Take

It is infeasible for the Service to quantify the exact number of San Joaquin kit foxes that will be taken as a result of the proposed action because the number of individuals in the action area is unknown and estimates of population density in the action area are unavailable. In instances in which the number of individuals that may be taken cannot be determined, the Service may quantify take in the amount of lost or disturbed habitat as a result of the project action; since take is expected to result from these effects to habitat, the quantification of habitat becomes a direct surrogate for the species that will be taken. Therefore, the Service anticipates take incidental to the project as the 76.83 ac of suitable San Joaquin kit fox habitat that will be lost and disturbed. Dens may be destroyed as a result of project construction and a small number of dens could also be disturbed by activities associated with the SHP. Upon implementation of the *Reasonable and Prudent Measures, Terms and Conditions*, and the *Proposed Avoidance and Minimization Measures* considered herein, incidental take within this acreage in the form of harm due to new freeway construction, freeway and intersection improvements, sump activities, and other associated construction work leading to habitat loss and disturbance, as well as den excavation and destruction; and in the form of injury and mortality due to vehicle strikes on the new freeway, will become exempt from the prohibitions described under section 9 of the Act.

Effect of the Take

The Service has determined that the level of anticipated take is not likely to jeopardize the continued existence of the San Joaquin kit fox.

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Reasonable and Prudent Measures

The following reasonable and prudent measure is necessary and appropriate to minimize the effects of the proposed action on the San Joaquin kit fox.

- 1. All of the conservation measures proposed in the BA, the Draft SHP Plan, the *Project Description*, and as supplemented and modified in the Terms and Conditions below, must be fully implemented.

Terms and Conditions

In order to be exempt from the prohibitions of section 9 of the Act, Caltrans, the City, as well as any contractor acting on the City’s behalf, must comply with the following Terms and Conditions, which implement the reasonable and prudent measure described above. These Terms and Conditions are nondiscretionary.

The following Terms and Conditions implement Reasonable and Prudent Measure one:

- 1. Caltrans shall be responsible for implementing all measures described in this biological opinion. Term and Condition 3.b., which applies to contractor activities, shall be conditioned in contracts for the work.
- 2. In order to promote both effective communication and implementation of the terms and conditions, the lead Service-approved biologist shall meet weekly with the Resident Engineer and contractor to review the week’s upcoming ground-disturbing activities - including any possible changes from the project as analyzed in this biological opinion - as well as the measures that will be implemented to minimize effects to listed species. These meetings shall be documented and reported every two weeks to Caltrans; Caltrans in turn will report this information to the Service, as described in Term and Condition 3a.
- 3. In order to monitor whether the amount or extent of incidental take anticipated from implementation of the project is approached or exceeded, Caltrans shall adhere to the following reporting requirements. Should this anticipated amount or extent of incidental take be exceeded, Caltrans must immediately reinstate formal consultation as per 50 CFR 402.16.
 - a. For those components of the action that will result in habitat loss or degradation whereby incidental take in the form of harm is anticipated, Caltrans shall provide updates every two weeks to the Service with a precise accounting of the total acreage of habitat affected and the number of dens lost. Updates also shall include any information about changes in project implementation that result in habitat disturbance or other effects to the species not described in the *Project Description* and not analyzed in this biological opinion.
 - b. For those components of the action that result in direct encounters between listed species and project workers and their equipment whereby incidental take in the

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form of harassment, harm, injury, or death is likely, Caltrans shall immediately contact the Service’s SFWO at (916) 414-6600 to report the encounter. If an encounter occurs after normal working hours, Caltrans shall contact the SFWO at the earliest possible opportunity the next working day. When injured or killed individuals of the listed species are found, Caltrans shall follow the steps outlined in the *Salvage and Disposition of Individuals* section.

- c. Before construction starts on this project, the Service shall be provided with the final documents related to protection of conservation acres, including MBHCP fee payment of habitat conservation acreage. Easement and endowment documentation for each sump included in the SHP will be established following the approval of the FED for the last of the six TRIP projects. The City will fully fund the SHP within one year of that approval.
- d. A post-construction report detailing compliance with the project design criteria and proposed conservation measures described under the *Project Description* section of this biological opinion shall be provided to the Service within 60 calendar days of completion of the project. The report shall include: (1) dates of project groundbreaking and completion; (2) pertinent information concerning the success of the project in meeting the conservation measures; (3) an explanation of failure to meet such measures, if any; (4) known project effects on the San Joaquin kit fox, if any; (5) observed incidences of injury to or mortality of the San Joaquin kit fox, if any; (6) the number of dens lost, if any; and, (7) any other pertinent information.

Salvage and Disposition of Individuals

In the case of an injured and/or dead San Joaquin kit fox, the Service shall be notified of events within one day and the animal shall be handled only by a Service-approved biologist. Injured animals shall be cared for by a licensed veterinarian or other Service-approved person. In the case of a dead San Joaquin kit fox, the animal shall be preserved, as appropriate, and shall be bagged and labeled (i.e. species type; who found or reported the incident; when the report was made; when and where the incident occurred; and if possible, cause of death). Carcasses shall be held in a secure location, such as a freezer or cooler, until instructions are received from the Service regarding the disposition of the specimen or until the Service, or another appropriate agency or Service-approved person, takes custody of the specimen. Caltrans must report to the Service within one calendar day any information about take or suspected take of federally-listed species not exempted in this opinion. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal. The Service contacts are Daniel Russell, Deputy Assistant Field Supervisor, Endangered Species Program, Sacramento, at (916) 414-6600 and the Service's Law Enforcement Division at (916) 569-8444.

Any contractor or employee who, during routine operations and maintenance activities inadvertently kills or injures a listed wildlife species must immediately report the incident to his

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representative at his contracting/employment firm and to Caltrans. This representative must contact the Service within one calendar day.

CONSERVATION RECOMMENDATIONS

Conservation recommendations are suggestions of the Service regarding discretionary measures to minimize or avoid further adverse effects of a proposed action on listed, proposed, or candidate species or on designated critical habitat, or regarding the development of new information. They may also serve as suggestions on how action agencies can assist species conservation in furtherance of their responsibilities under section 7(a)(1) of the Act, or recommend studies improving an understanding of a species' biology or ecology. Wherever possible, conservation recommendations should be tied to tasks identified in recovery plans. The Service is providing you with the following conservation recommendations:

- 1. Caltrans should continue to include culverts, tunnels, or other structures along roads and highways, particularly in core and satellite population areas to allow for the safe passage of the San Joaquin kit fox. Crossing structures contribute to creating safe dispersal corridors for multiple wildlife species, and will help reduce wildlife road mortalities and enhance public safety. Caltrans is encouraged to explore designs and include photos, plans, and other information in its BAs concerning the incorporation of wildlife passageway designs into its projects.
- 2. Caltrans should report new sightings of the San Joaquin kit fox or its dens to the CNDDDB. A copy of the reporting form and a topographic map clearly marked with the location in which the animals were observed also should be provided to the Service.

In order for the Service to be kept informed of actions minimizing or avoiding adverse effects or benefitting listed species or their habitats, the Service requests notification of the implementation of any conservation recommendations.

REINITIATION—CLOSING STATEMENT

This concludes the Service's review of the proposed Centennial Corridor Project, as outlined in your letter. As provided in 50 CFR § 402.16, reinitiation of formal consultation is required where discretionary Federal agency involvement or control over the action has been maintained or is authorized by law and if: (1) the amount or extent of incidental take is exceeded; (2) new information reveals effects of the agency action that may affect listed species or critical habitat in a manner or an extent not considered in this biological opinion; (3) the agency action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in this biological opinion; or (4) a new species is listed or critical habitat designated that may be affected by the action.

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Please contact Jen Schofield, Fish and Wildlife Biologist, or Thomas Leeman, Chief, San Joaquin Valley Division, at the letterhead address or at (916) 414-6600 if you have any questions regarding this letter.

Sincerely,



Jennifer Norris
Field Supervisor

cc:
Annee Ferranti, California Department of Fish and Wildlife, Fresno, California

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Literature Cited

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Personal Communications

Cypher, B.L. 2009a. Research ecologist. Endangered Species Recovery Program, California State Universities, Stanislaus and Bakersfield, California. June 2, 2009 – meeting with Stephanie Coppeto of AECOM to discuss San Joaquin kit fox concentration areas, movement corridors, and potential mitigation for the conceptual strategy.



In Reply Refer to:
08ESMF00-
2013-F-0373-R001

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
2800 Cottage Way, Suite W-2605
Sacramento, California 95825-1846



FEB 24 2015

Ms. Dena Gonzalez
Chief, Central Region Biology Branch
California Department of Transportation, District 6
855 M Street, Suite 200
Fresno, California 93721

Subject: Reinitiation of Formal Consultation for the Centennial Corridor Project (part of the Thomas Roads Improvement Program [TRIP]), City of Bakersfield, Kern County, California (California Department of Transportation EA 06-48460, 06-KERN-58-PM T31.7 to PM 55.6; 06-KERN-99-PM 21.2 to PM 26.2)

Dear Ms. Gonzalez:

This is the U.S. Fish and Wildlife Service's (Service) response to the California Department of Transportation's (Caltrans) request to reinitiate formal consultation on its proposed action to provide Federal oversight of the Centennial Corridor Project (project) in Kern County, California. The project is part of the larger Thomas Roads Improvement Program (TRIP), a cooperative effort among the City of Bakersfield, County of Kern, Kern Council of Governments, and Caltrans. The Service issued a biological opinion to Caltrans on December 20, 2013 (Service file number 08ESMF00-2013-F-0373), which addressed effects to the federally-listed as endangered San Joaquin kit fox (*Vulpes macrotis mutica*). Subsequently, the Service issued a letter on April 16, 2014, which notified Caltrans of several minor errors in the biological opinion and revised these errors (Service file number 08ESMF00-2013-F-0373).

The Moving Ahead for Progress in the 21st Century Act (MAP-21) was signed into law on July 16, 2012. Caltrans was approved to participate in the MAP-21 Surface Transportation Project Delivery Program through the National Environmental Policy Act (NEPA) assignment Memorandum of Understanding (MOU) between the Federal Highway Administration (FHWA) and Caltrans (effective October 1, 2012), as codified in 23 U.S.C. 327. The MOU allows Caltrans to assume the FHWA's responsibilities under NEPA as well as FHWA's consultation and coordination responsibilities under Federal environmental laws for the majority of transportation projects in California.

Your initial October 10, 2014 letter was received in this office on October 17, 2014. In this letter, you requested to reinitiate consultation and to amend the biological opinion to address the impacts on the San Joaquin kit fox from additional construction activities associated with the installation of permanent soundwalls and the use of temporary k-rail barriers. Following further project discussion between Caltrans and the Service, Caltrans sent a revised letter, dated January 28, 2015, and received in our office on February 2, 2015, in which it 1) clarified its request to reinitiate consultation;

Ms. Dena Gonzalez

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2) modified its discussion of temporary k-rail; and 3) modified its proposed avoidance and minimization measures in regard to k-rail design.

This response was prepared in accordance with section 7(a)(2) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (Act).

In reviewing the request, the Service has relied upon: (1) Caltrans' October 10, 2014, letter and supporting documents (e.g. maps, design plans); (2) the Service's December 20, 2013 biological opinion; (3) email and telephone correspondence between Caltrans and the Service; (4) Caltrans' January 28, 2015, revised letter; and (5) other information available to the Service.

The following section supplements the information presented in the **Proposed Project** on pages 6-8 of the December 20, 2013 biological opinion and pertains to Caltrans' proposed addition of new construction activities:

Caltrans proposes to install approximately 42,000-feet (ft.) of new soundwalls, and to replace, in-kind, just under 4,000-ft. of existing soundwalls at various locations along the project's extent. These noise attenuation structures are generally installed in areas adjacent to high-density residential neighborhoods where road noise is expected to cause significant disturbance to residents. The structures also will serve to keep children and pets in these residential neighborhoods from accessing the busy roadways. Caltrans' proposed soundwall activities will take place in residential areas located 1) between the southern end of the new Westside Parkway/Truxtun Avenue intersection and the State Route (SR) 99/SR 58 intersection (i.e., the new Centennial Corridor alignment); 2) between the SR 99/SR 58 intersection and Cottonwood Road at the eastern end of the project area; and 3) between the SR 99/SR 58 intersection and Wilson Road at the southern end of the project area. The soundwalls that are due to be replaced in-kind will be situated at the southern end of the project area, along a segment of SR 99 between Ming Avenue and SR 58.

Caltrans expects to use temporary concrete k-rail barriers during construction. K-rail is a common traffic control safety measure used to separate the construction areas from roadways and vehicle traffic. These barrier structures will be present for the duration of construction but will be removed once the project is completed.

The following section supplements the information presented in the Proposed Avoidance and Minimization Measures on pages 8-13 of the December 20, 2013 biological opinion, and pertains to the additional conservation measures Caltrans has proposed to minimize the effects to the San Joaquin kit fox from the installation of k-rail on-site:

- Caltrans will install modified k-rail barriers that facilitate San Joaquin kit fox movement and passage across the roadways. Openings in the barriers will be spaced every seven segments of k-rail; segments are 20-ft. long, so intervals will be spaced approximately every 140-ft. One, or a combination, of two design options will be implemented. Designs include:
 - A Modified Type K segment with one 8-inch diameter hole cast or bored into a typical rail segment.
 - A Type L passageway that off-sets a segment of k-rail via a gap measuring between 8-inches and 5-ft.

Ms. Dena Gonzalez

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Caltrans acknowledges that the aforementioned designs are only temporary solutions for addressing the issues of roadway permeability and wildlife passage; over the long-term, Caltrans will commit to conducting crash-test and safety studies on alternative design options in order to provide the most effective solutions for addressing San Joaquin kit fox movement across the roadscape.

The following section supplements the information presented in the **Effects of the Proposed Action** on pages 16-18 of the December 20, 2013 biological opinion, and pertains to the evaluation of effects from the proposed installation of soundwalls and temporary k-rail barriers:

Soundwall installation (including both the addition of new soundwalls and the replacement in-kind of existing soundwalls) will be restricted to high-density residential areas where the San Joaquin kit fox is less likely to occur. These areas normally would have (or already have) impermeable fencing due to the safety issues associated with placing residential neighborhoods adjacent to busy roadways with high traffic speeds and volumes. Therefore, Caltrans does not expect new soundwall installation to create additional barriers to San Joaquin kit fox movement; neither is this activity likely to contribute to an increase in habitat fragmentation for the species. In fact, the project area contains a number of existing movement corridors that Caltrans believes will facilitate connectivity in the landscape for the San Joaquin kit fox; there are 18 potential crossing features, six of which are associated with the SR 58 Gap Closure Project (EA 06-0G850), which overlaps with a portion of the Centennial project area (eastern side), and three of which are associated with the Westside Parkway Project (EA 06- 48460), which also overlaps with a portion of the Centennial project area (western side). Potential crossing features include road, railroad, and canal under-crossings; culverts at irrigation canals; and bridges. The distance between these crossing features ranges between 600-ft. and 2,500-ft.

The k-rail barriers proposed for use throughout the project area as a means of temporary traffic control and safety are likely to prevent the San Joaquin kit fox from making successful road crossings. The San Joaquin kit fox is reasonably likely to occur in and/or use the action area given that 1) the action area is located within the San Joaquin kit fox Metropolitan Bakersfield satellite recovery area (Service, 2010)¹; 2) habitat within the action area contains areas of suitable non-native grasslands, ruderal lands, and agricultural lands for the species; and 3) potential dens and San Joaquin kit fox sign have been found within the action area. Those individuals traversing the project area are therefore at high risk of encountering a k-rail barrier and becoming trapped between it and the roadway. Consequently, they are likely to end up being injured or killed by vehicles. Caltrans will reduce this risk by modifying the k-rail design to include one, or a combination, of two types of passageways. Openings will be situated at 140-ft. intervals, thereby continuing to provide a degree of roadway permeability and a means for the San Joaquin kit fox potentially to move through the barrier.

On page 19 of the December 20, 2013 biological opinion, the **Amount or Extent of Take** is being modified as follows. Segments of new text are shown by an underline:

It is infeasible for the Service to quantify the exact number of San Joaquin kit foxes that will be taken as a result of the proposed action because the number of individuals in the action area is unknown and estimates of population density in the action area are unavailable. In instances in which the number of individuals that may be taken cannot be determined, the

¹ U.S. Fish and Wildlife Service. 2010. San Joaquin Kit Fox (*Vulpes macrotis mutica*) 5-Year Review: Summary and Evaluation. Sacramento Fish and Wildlife Office, Sacramento, California. 122 pp.

Ms. Dena Gonzalez


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Service may quantify take in the amount of lost or disturbed habitat as a result of the project action; since take is expected to result from these effects to habitat, the quantification of habitat becomes a direct surrogate for the species that will be taken. Therefore, the Service anticipates take incidental to the project as the 76.83 ac of suitable San Joaquin kit fox habitat that will be lost and disturbed. Dens may be destroyed as a result of project construction and a small number of dens could also be disturbed by activities associated with the SHP. Upon implementation of the *Reasonable and Prudent Measures, Terms and Conditions*, and the *Proposed Avoidance and Minimization Measures* considered herein, incidental take within this acreage in the form of harm due to new freeway construction, freeway and intersection improvements, sump activities, and other associated construction work leading to habitat loss and disturbance, as well as den excavation and destruction; and in the forms of injury and mortality due to vehicle strikes stemming from traffic on the new freeway and from the presence of permeable temporary barrier structures, will become exempt from the prohibitions described under section 9 of the Act.

Reinitiation – Closing Statement

The conclusion of the jeopardy analysis for the December 20, 2013 biological opinion, and the April 16, 2014 notification letter, is unchanged: the action is not likely to jeopardize the continued existence of the San Joaquin kit fox. This concludes the reinitiation of formal consultation for the Centennial Corridor Project. As provided in 50 CFR § 402.16, reinitiation of formal consultation is required where discretionary Federal agency involvement or control over the action has been maintained or is authorized by law and if: (1) the amount or extent of incidental take is exceeded; (2) new information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent not considered in this opinion; (3) the agency action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in this opinion; or (4) a new species is listed or critical habitat designated that may be affected by the action.

Please contact Jen Schofield, Wildlife Biologist, or Thomas Leeman, Chief, San Joaquin Valley Division, at (916) 414-6600 if you have any questions regarding this letter.

Sincerely,

Kenneth Sanchez
Assistant Field Supervisor

cc:
Craig Bailey, California Department of Fish and Wildlife, Fresno, California



In Reply Refer to:
08ESMF00-
2013-F-0373-R001

United States Department of the Interior

FISH AND WILDLIFE SERVICE
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JUL 30 2015

Mr. Javier Almaguer
Chief, Central Region Biology Branch - Environmental Stewardship
California Department of Transportation, District 6
855 M Street, Suite 200
Fresno, California 93721

Subject: Amendment to the Biological Opinion for the Centennial Corridor Project (part of the Thomas Roads Improvement Program [TRIP]), City of Bakersfield, Kern County, California (California Department of Transportation 06-KERN-58-PM T31.7 to PM R55.6; 06-KERN-99-PM 21.2 to PM 26.2; EA 06-48460)

Dear Mr. Almaguer:

This is the U.S. Fish and Wildlife Service's (Service) response to the California Department of Transportation's (Caltrans) request to amend the biological opinion for the proposed Centennial Corridor Project (project) in Kern County, California. The original biological opinion (Service file number 08ESMF00-2013-F-0373) was issued to Caltrans on December 20, 2013 and addressed effects to the federally-listed as endangered San Joaquin kit fox (*Vulpes macrotis mutica*). The Service issued a reinitiated biological opinion to Caltrans on February 24, 2015 (Service file number 08ESMF00-2013-F-0373-R001), which addressed impacts to the species from additional construction activities associated with the proposed installation of permanent soundwalls and the use of temporary k-rail barriers.

The Moving Ahead for Progress in the 21st Century Act (MAP-21) was signed into law on July 16, 2012. Caltrans was approved to participate in the MAP-21 Surface Transportation Project Delivery Program through the National Environmental Policy Act (NEPA) assignment Memorandum of Understanding (MOU) between the Federal Highway Administration (FHWA) and Caltrans (effective October 1, 2012), as codified in 23 U.S.C. 327. The MOU allows Caltrans to assume the FHWA's responsibilities under NEPA as well as FHWA's consultation and coordination responsibilities under Federal environmental laws for the majority of transportation projects in California.

Your letter requesting to amend the biological opinion, dated July 17, 2015, was received in this office on July 23, 2015. In this letter, you proposed to eliminate implementation of one of the minimization measures from a portion of the project encompassing State Route (SR) 58 from PM R52.3 to R55.4, and SR 99 from PM 22.1 to 22.7; the minimization measure at issue pertains to the installation of modified temporary k-rail barriers. Caltrans instead proposes to install standard temporary k-rail structures without any openings between the aforementioned postmiles (described as the segment of SR 58 extending from SR 99 eastwards to Cottonwood Road, and the segment of SR 99 from Wilson Road to just north of Ming Avenue).

This document has been prepared in accordance with section 7(a)(2) of the Endangered Species Act of 1973, as amended (16 U.S.C. § 1531 *et seq.*) (Act).

Mr. Javier Almaguer

In reviewing the request, the Service has relied upon: (1) Caltrans' July 17, 2015 amendment request letter; (2) the Service's original biological opinion and reinitiated biological opinion; (3) information discussed and documents received at a July 14, 2015 meeting attended by Caltrans, the City of Bakersfield, and the Service; (4) email and telephone correspondence between Caltrans and the Service; and (5) other information available to the Service.

On pages 2-3 of the February 24, 2015 reinitiated biological opinion, the bulleted conservation measure, as noted below, is now removed from the *Proposed Avoidance and Minimization Measures*. However, this removal applies only to a specific portion of the project, defined by Caltrans as the segment of SR 58 from SR 99 to Cottonwood Road, and the segment of SR 99 from Wilson Road to just north of Ming Avenue. Implementation of this measure for the rest of the project area remains unchanged:

- Caltrans will install modified k-rail barriers that facilitate San Joaquin kit fox movement and passage across the roadways. Openings in the barriers will be spaced every seven segments of k-rail; segments are 20-ft. long, so intervals will be spaced approximately every 140-ft. One, or a combination, of two design options will be implemented. Designs include:
 - A Modified Type K segment with one 8-inch diameter hole cast or bored into a typical rail segment.
 - A Type L passageway that off-sets a segment of k-rail via a gap measuring between 8-inches and 5-ft.

Caltrans acknowledges that the aforementioned designs are only temporary solutions for addressing the issues of roadway permeability and wildlife passage; over the long-term, Caltrans will commit to conducting crash-test and safety studies on alternative design options in order to provide the most effective solutions for addressing San Joaquin kit fox movement across the roadscape.

The following section supplements the information presented in the **Effects of the Proposed Action** on page 3 of the February 24, 2015 reinitiated biological opinion, and refers to the evaluation of effects to the San Joaquin kit fox from the removal of the proposed measure to install modified temporary k-rail barriers along the portion of the project defined as the segment of SR 58 from SR 99 to Cottonwood Road, and the segment of SR 99 from Wilson Road to just north of Ming Avenue:

Caltrans' rationale behind its proposal to remove the measure pertaining to the installation of modified temporary k-rail from a specific portion of the project (i.e., along SR 58 from PM R52.3 to R55.4 and along SR 99 from PM 22.1 to 22.7) is based on several reasons:

- 1) Eighteen months of continuous daily monitoring was conducted for a separate project called the SR 58 Gap Closure Project; this project shared the same SR 58 postmiles as those referenced above. Because the monitoring results indicated that no San Joaquin kit foxes or associated sign were present during this extended period, the species is unlikely to occur in the same area during construction for the current project.
- 2) SR 58 is an elevated roadway, which reduces the likelihood that the species will access the area.

Mr. Javier Almaguer

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- 3) There are existing corridor features within the project area, including a railroad, canals, and below-grade streets that provide potential movement and crossing opportunities for the San Joaquin kit fox.
- 4) The existing permanent median barrier along SR 99 does not contain any openings conducive to passage by the species; consequently, the installation of openings in modified temporary k-rail structures would be ineffective at minimizing the risk to the species since these holes would result in the San Joaquin kit fox being able to access the road corridor and becoming trapped by the impermeable median barrier. Ultimately, this would increase the risk to the species of being struck by a vehicle and injured or killed.
- 5) There are additional physical barriers, such as soundwalls and chain-link fencing situated along the tops of the freeway embankments. Consequently, the installation at grade-level of modified k-rail barriers would not be an effective minimization measure given the pre-existing impediments to San Joaquin kit fox access and movement into the road corridor.

Given these aforementioned reasons, Caltrans has concluded that eliminating implementation of the proposed measure to install modified temporary k-rail structures along the segment of SR 58 from SR 99 to Cottonwood Road, and along the segment of SR 99 from Wilson Road to just north of Ming Avenue is not expected to increase the amount or extent of take of the San Joaquin kit fox.

Reinitiation – Closing Statement

The conclusion of the jeopardy analysis for the December 20, 2013, biological opinion and for the February 24, 2015 reinitiated biological opinion is unchanged: the proposed project is not likely to jeopardize the continued existence of the San Joaquin kit fox. This concludes the amendment to the biological opinion for the Centennial Corridor Project. As provided in 50 CFR § 402.16, reinitiation of formal consultation is required where discretionary Federal agency involvement or control over the action has been maintained or is authorized by law and:

- (a) If the amount or extent of taking specified in the incidental take statement is exceeded;
- (b) If new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not previously considered;
- (c) If the identified action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in the biological opinion; or
- (d) If a new species is listed or critical habitat designated that may be affected by the identified action.

If you have any questions regarding this letter, please contact Jen Schofield, Wildlife Biologist (Jen_Schofield@fws.gov), or Thomas Leeman, Chief, San Joaquin Valley Division (Thomas_Leeman@fws.gov), at the letterhead address, at (916) 414-6600, or by e-mail.

Sincerely,



Kenneth Sanchez
Assistant Field Supervisor

cc:

Craig Bailey, California Department of Fish and Wildlife, Fresno, CA

Appendix J Key Correspondence

Throughout the coordination process, Caltrans has received correspondence from several agencies regarding the project. The information in this correspondence is reflected in the environmental document. The correspondence is listed below and provided in Appendix J:

- **Appendix J-1:** Faxed letter from California Department of Fish and Game, Central Region (September 1, 2009). The letter is a response to Caltrans' invitation to the Centennial Corridor Project Agency Coordination Meeting held on August 26, 2009. The letter provides a written summary of California Department of Fish and Game outstanding concerns related to the project.
- **Appendix J-2:** Letter from Metropolitan Bakersfield Habitat Conservation Plan (December 3, 2010). The letter states that the Trust Group concurs with the use of the Metropolitan Bakersfield Habitat Conservation Plan for compensatory mitigation required by the U.S. Fish and Wildlife Service and California Department of Fish and Game.
- **Appendix J-3:** Letter to Office of Historic Preservation, Department of Parks and Recreation, State Historic Preservation Officer (February 15, 2013). The letter initiates consultation with the State Historic Preservation Officer.
- **Appendix J-4:** Email from Santa Rosa Rancheria Tachi Yokut Tribe (March 6, 2013). The email was sent to consult with Caltrans on the Project.
- **Appendix J-5:** Letter from Office of Historic Preservation, Department of Parks and Recreation, State Historic Preservation Officer (April 15, 2013). This is the letter of concurrence from the State Historic Preservation Officer.
- **Appendix J-6:** Letter to United States Fish and Wildlife Service (April 15, 2013). The letter is requesting formal project-specific Section 7 consultation for the San Joaquin kit fox.
- **Appendix J-7:** Letter from Office of Historic Preservation, Department of Parks and Recreation, State Historic Preservation Officer (April 10, 2014). The letter provides the following two comments to the finding of No Adverse Effect: (1) it appears that Caltrans has not completed their archaeological resources identification and is extending further archaeological studies until a Preferred

Alternative is selected; and (2) a proposed sound wall results in a visual intrusion to the Rancho Vista Historic District that would be out of character with the neighborhood.

- **Appendix J-8:** Letter from State of California, Department of Transportation, Division of Environmental Analysis (April 18, 2014). The letter is a response to the two comments provided in the letter from the Office of Historic Preservation, Department of Parks and Recreation, State Historic Preservation Officer, dated April 10, 2014.


In response to the first comment that Caltrans has not completed their archaeology identification and is extending further archaeological studies until a Preferred Alternative is selected, Caltrans understands that the State Historic Preservation Officer could not concur with the finding of no adverse effect on archaeological resources until the identification phase of the Section 106 process has been completed. While the pedestrian survey did not identify any archaeological resources to be within the archaeological Area of Potential Effect, Caltrans proposed that it carry out a two-stage Extended Phase I archaeological survey. The first stage was completed and submitted to the State Historic Preservation Officer as part of the Historic Property Survey Report in February 2013. As presented to the State Historic Preservation Officer, the second stage was undertaken for the Preferred Alternative, which focused on the potential presence of archaeological resources in sensitive soils and sediments. This report was incorporated as part of a Supplemental Historic Property Survey Report prepared by Caltrans and submitted to the State Historic Preservation Officer in March 2015.

In response to the second comment that a proposed structure results in a visual intrusion to the Rancho Vista Historic District and would result in an adverse effect to the historic district, Caltrans has concluded that the elevated structure, though located outside of the Rancho Vista Historic District boundaries, would constitute a visual intrusion and diminish the historic property's setting. This would create an adverse effect as defined by 36 CFR 800.5. As a result, Caltrans developed a Memorandum of Agreement with SHPO and other consulting parties to resolve the adverse effects by minimizing or eliminating the adverse visual effects on the historic property, as discussed further below (Appendix J-11).


- **Appendix J-9:** Letter from Department of the Army, U.S. Army Engineer District, Sacramento, Corps of Engineers (August 7, 2014). This is a comment letter on the Centennial Corridor Project Draft Environmental Impact Report/Environmental Impact Statement that was received after the public comment period closed on July 8, 2014. The letter is provided and discussed further as comment F-3 in Volume 3, Responses to Comments of the Final Environmental Impact Report.
- **Appendix J-10:** Farmland Conversion Impact Rating for Corridor Type Projects form (NRCS-CPA-106) sent to the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) on September 18, 2013. Submittal of the form to the NRCS local Field Office is a requirement when Federal agencies or Federally funded projects propose projects that may convert farmland that is subject to the Farmland Protection Policy Act to nonagricultural uses. The NRCS completed the form and returned it on September 25, 2013.
- **Appendix J-11:** Memorandum of Agreement between Caltrans and the State Historic Preservation Officer Regarding the Centennial Corridor Project, city of Bakersfield, Kern County, California. The Memorandum of Agreement (MOA) identifies that Caltrans has determined that the Centennial Corridor Project will have an adverse effect on the Rancho Vista Historic District, a property determined to be eligible for inclusion in the National Register of Historic Places (NRHP). The MOA identifies stipulations for the treatment for historic properties that will be affected, including the Area of Potential Effects, Treatment of Historic Properties, Treatment of Human Remains of Native American Origin, and Post-Review Discoveries and Unanticipated Effects. The signatory parties to the MOA are the Caltrans Division of Environmental Analysis Chief, Katrina Pierce (signed on December 24, 2014), and the State Historic Preservation Officer (signed on January 6, 2015). The concurring parties to the MOA are Caltrans, District 6 (signed on January 7, 2015) and the city of Bakersfield (signed on January 9, 2015).


J-1: Faxed letter from California Department of Fish and Game

09-01-09 12:31 FROM:DFG 559 2433004 T-697 P.001/007 F-627

 **FACSIMILE LEADER PAGE**
California Department of Fish and Game
Central Region
Region 4
1234 East Shaw Avenue
Fresno, California 93710
INFO (559) 243-4017 FAX (559) 243-3004

DATE: 9/1/09 PAGE 1 OF 7
TO: Kristen Helton
Caltrans, District 6
FAX: (559) 243-8210 PHONE: _____
FROM: Laura Peterson-Diaz
INSTRUCTIONS: Original to follow by mail.

09-01-09 12:31 FROM-DFG 559 2433004

DEPARTMENT OF FISH AND GAME
 Central Region
 1234 East Shaw Avenue
 Fresno, California 93710
 (559) 243-4005
<http://www.dfg.ca.gov>

T-697 P.002/007 F-627
DONALD KOCH, Director 

September 1, 2009

Kirsten Helton
 California Department of Transportation, District 6
 2015 East Shields Avenue, Suite 100
 Fresno, California 93726

Subject: Invitation to the Centennial Corridor Project Agency Coordination Meeting
 06-KER 58 Alignment EA 06-48460

Dear Ms. Gassner:

This letter is in response to your invitation to the Centennial Corridor Project Agency Coordination Meeting on August 26, 2009, at 10:00 AM via webinar hosted by Caltrans. As discussed during that meeting, the following provides a written summary of our outstanding concerns related to this Project.

It appears that the major focus is on the segment to the east of the Westside Parkway Segment. However, the Department of Fish and Game (DFG) remains significantly concerned that the Western Segment at the junction with Interstate 5 (I5) continues to show the alignment through Kern Water Bank Authority's Kern Water Bank. The Biological Services Study Plan sent with the invitation to the webinar states that the Western Segment and the Westside Parkway portions of the Project have been addressed in previous environmental documents, pursuant to the California Environmental Quality Act (CEQA) and National Environmental Protection Act (NEPA), and that the Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) will incorporate by reference these previous two documents:

- Final Route 58 Adoption Project, a Tier 1 EIS/EIR, 2002 (SR 58 EIR)
- Westside Parkway Environmental Assessment/ Final EIR, 2006 (Westside Parkway EIR)

Further, for these two segments of the Project, the analysis in the Centennial Corridor EIR/EIS will serve as a **revalidation of the previous documents**. New information will be provided to the extent necessary to ensure the environmental record is reflective of the current conditions.

Given the information provided in our previous comment letter, it is not appropriate to simply "revalidate the previous documents"; the State Route (SR) 58 EIR failed to accurately present the conditions that were present in 2002 and as a result, the associated potential Project-related impacts were not adequately characterized nor disclosed. Impacts to the Kern Water Bank are erroneously described as Agricultural lands in Table 4-5 of the SR 58 EIR, which includes the potential impacts with "Terrestrial Vegetation" and does not include wetlands. Figure 3-7 of the SR 58 EIR is a map of "Terrestrial Vegetation Types" and despite the notation on the Map,

Conserving California's Wildlife Since 1870

09-01-09 12:32 FROM-DFG 559 2433004 T-697 P.003/007 F-627

Kirsten Helton
 September 1, 2009
 Page 2

which says "Land cultivated prior to 1987, but converted to recharge basins; managed by Kern Water Bank Authority" the area is still given dots which the Legend identifies as "Agricultural Land (indicates land **currently** in cultivation)". (Emphasis added.) This is incorrect and does not reflect the conditions that were present in 2002 or the existing conditions.

On October 20, 2008, DFG commented on the Notice of Preparation (NOP) for the Centennial Corridor Project in a letter also addressed to Sarah Gassner, representing the City of Bakersfield. Some of DFG's comments provided in the October 2008 letter are reiterated in this comment letter. DFG has significant concerns with the single alternative identified for the western portion of the alignment, which traverses through the Kern Water Bank. The lands and wetlands within the Kern Water Bank are critically important in a regional conservation and recovery context for many threatened and endangered species and other wildlife. As a result, we feel that implementation of the western portion of this Project in the currently proposed location is ill advised and should not proceed as proposed. We recommend reconsideration of one or more alternate Project locations that would not impact the Kern Water Bank.

The Kern River alignment is no longer even shown as an alternative. The only route shown on the map at the western end of the Project is the Cross Valley Canal Option, which cuts through the Kern Water Bank. While the Kern River Alternative could result in impacts to a small isolated piece of Valley Saltbush Scrub/Valley Sink Scrub (Scrub), these impacts would be minor in comparison to the significant impacts that would occur to Kern Water Bank with the currently identified preferred alternative. In addition, the impacts to the Scrub habitat associated with the Kern River Alternative could be minimized by making slight alterations to the design shown in Figure 3-8. For example, the northbound I5 off-ramp could be moved just a bit farther east, outside the Scrub habitat. In addition, much of the disturbed Scrub identified in Figure 3-8 west of I5 has already been converted to irrigated agriculture since the Alternatives analysis was conducted. Another Alternative which does not seem to have been given full consideration is connecting to the current Stockdale Highway just west of SR 43, which would only require a single-lane overpass.

DFG has concerns regarding the potential discharge of storm water runoff from the proposed Cross Valley Canal Option. A highway through the wetlands present on Kern Water Bank could result in hazardous substances such as oil, other petroleum products, antifreeze, coolant, and heavy metals entering the wetlands from the roadway. Further, a letter from the Kern Water Bank Authority to Caltrans on July 9, 2008, indicated that not only would the proposed Project impact sensitive and threatened plant and animal species protected by the Kern Water Bank Authority Habitat Conservation Plan (HCP)/Natural Communities Conservation Plan (NCCP), but also that this alternative would also impact ground water recharge, recovery, and water quality. The permeable nature of the soils in this area, which make the area particularly suitable for ground water recharge, also means that the area would be extremely susceptible to contaminants associated with vehicles and roadways. The EIR/EIS prepared for this Project should address this potential significant threat to water quality.

Wetlands and Water Quality: On page 4-28, the Westside Parkway EIR states that the United States Army Corps of Engineers (ACOE) was informed that the preferred Alternative for SR 58, the Kern River alignment, did not cross any jurisdictional wetlands. The ACOE responded that

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Kirsten Helton
September 1, 2009
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a Nationwide Permit 14 would likely be required and 404 coordination would not be applicable. However, Figure 3-8 of the SR 58 EIR, which is entitled "Impacts to Potential Jurisdictional Wetlands", indicates that the southbound I5 off-ramp would impact potential jurisdictional wetlands. It is unclear whether this was considered when the ACOE was told that the Kern River alignment did not cross any jurisdictional wetlands, or whether the term Kern River alignment was erroneously used when referring to the Cross Valley Canal Option. Prior to the 1997 letter saying the NEPA 404 process would not be applicable, a letter from the ACOE dated October 30, 1995, states "since the project would affect wetlands, a special aquatic site, your assessment that the NEPA/404 MOU would not apply is incorrect. The procedures described in that MOU would have to be followed."

Regardless of the conflicting wetland and associated permitting issues described above, it appears that the portion of the Project alignment west of SR 43 would cross approximately 1.5 miles of recharge ponds within the Kern Water Bank, which are functional wetlands.

Riparian Habitat and Wetlands: Riparian habitat is of extreme importance to a wide variety of plant and wildlife species. Riparian habitat and wetlands are present along the Kern River as well as throughout the Kern Water Bank. DFG considers projects that impact these resources as significant if they result in a net loss of acreage or habitat value. DFG has a no-net-loss policy regarding impacts to wetlands. Potential impacts to special status resources posed by wetland creation should also be considered. Wetlands that have been inadvertently created by leaks, dams or other structures, or failures in man-made water systems are not exempt from this policy. Wetlands should be designated on a site map and included in the final environmental documents, and the size of the buffers should be clearly delineated both on the map and in the text of the mitigation measures.

Portions of Kern Water Bank, once farmed, have been returned to seasonal wetlands and upland habitat that were present in that area historically. Water from the Kern River, the State Water Project, and other sources are used to periodically flood portions of Kern Water Bank. Prior to agricultural development in the area encompassed by the Kern Water Bank, much of the land was regularly flooded by Kern River flood flows. The area is unique in California in its ability to absorb water at an extremely high rate and to retain it in aquifers. Approximately 4,700 acres of Kern Water Bank are used for recharge basins, which are managed in a way that provides high quality wetland habitat, a rare resource in the southern San Joaquin Valley. It is these wetlands that would not only be directly impacted by the highway footprint, but would also be severed and made disjunct by the placement of the preferred alternative through Kern Water Bank. Under the HCP/NCCP, the remainder of the Kern Water Bank is managed as habitat for threatened and endangered species, and a portion of this habitat is operated as a conservation bank, which sells credits to third parties to mitigate the impacts of their projects to threatened and endangered species, such as San Joaquin kit fox and Tipton kangaroo rat. Caltrans has utilized this conservation bank to compensate for impacts to threatened and endangered species associated with other projects. Conservation Easements are recorded in favor of DFG on the Conservation Bank portion of Kern Water Bank. Implementation of the Cross Valley Canal Option, would require condemnation of parcels with State Conservation Easements on them.

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Conflicts with HCPs and NCCPs: As noted above, the Kern Water Bank is covered by an HCP and NCCP. We do not believe that the proposed Project is compatible with these plans, and that the Project as proposed would result in conflicts with these plans.

In addition, the Cheng parcel (T30S, R24E, NW ¼ S4 and N ½ S5) was acquired with both Valley Floor Habitat Conservation Plan (VFHCP) implementation funding as well as with mitigation funding from the California Department of Water Resources to offset impacts to threatened and endangered species associated with construction of Coastal Aqueduct Phase II. This parcel supports good quality saltbush scrub habitat. The VFHCP is not yet finalized, but the initial habitat acquisitions associated with the VFHCP are important for finalization. It is unclear from the figure included in the NOP whether or not the Cheng parcel is within the Project footprint. If it is not within the Project footprint it is likely immediately adjacent to the new highway alignment, and this mitigation parcel, which is to be managed in perpetuity for the purposes of threatened and endangered species conservation, will be impacted.

Section 4(f) Consideration: Section 4(f) of the Department of Transportation Act of 1966, codified in Federal law at 49 U.S.C.A. Section 303, declares that "It is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites." The SR 58 EIR, by describing the Kern Water Bank lands which would potentially be impacted by this Project as agricultural lands, incorrectly dismisses the potential for these lands to be considered under Section 4(f) as wetlands and/or as a wildlife and waterfowl refuge. However, both of these designations are quite applicable to the Kern Water Bank lands which would be impacted by the only identified alternative on this portion of the alignment, the Cross Valley Canal Option.

Section 4(f) specifies that "The Secretary [of Transportation] may approve a transportation program or project...requiring the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance, or land of an historic site of national, State, or local significance (as determined by the Federal, State, or local officials having jurisdiction over the park, area, refuge, or site) only if: (emphasis added)

- (1) There is no prudent and feasible alternative to using that land; and
- (2) The program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use."

Section 4(f) further requires consultation with the Department of the Interior and, as appropriate, the involved offices of the Departments of Agriculture and Housing and Urban Development in developing transportation projects and programs which use lands protected by section 4(f).

There are prudent and feasible alternatives to going through the Kern Water Bank, so to comply with Section 4(f) of the Department of Transportation Act, the Cross Valley Canal Option should not move forward as the route adopted for the "established alignment".

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Kirsten Helton
September 1, 2009
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cc: Tim Kuhn
United States Fish and Wildlife Service
2800 Cottage Way, Room W-2605
Sacramento, California 95825-1846

Kate Dadey
San Joaquin Valley Office
United States Army Corps of Engineers
1325 J Street
Sacramento, California 95814-2922

Regional Water Quality Control Board
Central Valley Region
1685 E Street
Fresno, California 93706-2020

Zachary Parker
California Department of Transportation, District 6
2015 East Shields Avenue, Suite 100
Fresno, California 93726

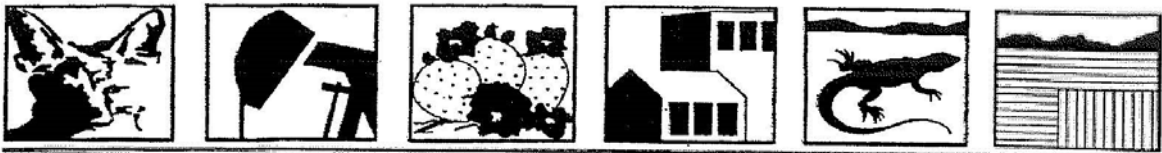
Kern Water Bank Authority
1620 Mill Rock Way, Suite 500
Bakersfield, California 93311

Ted James, AICP, Director
Kern County Planning Department
Public Services Building
2700 "M" Street, Suite 100
Bakersfield, California 93301-2370

Stanley C. Grady, Development Services Director
City of Bakersfield
1715 Chester Avenue
Bakersfield, California 93301

cc: Laura Peterson-Diaz
Department of Fish and Game

J-2: Letter from Metropolitan Bakersfield Habitat Conservation Plan



METROPOLITAN BAKERSFIELD HABITAT CONSERVATION PLAN

December 3, 2010

Mr. Raul Rojas, Director of Public Works Department
City of Bakersfield
1600 Truxtun Avenue
Bakersfield, CA 93301

Re: MBHCP as Mitigation for Thomas Roads Improvement Program (TRIP) Projects

Dear Mr. Rojas:

We understand from our discussions with you that the City of Bakersfield (City) in cooperation with Caltrans is consulting with the US Fish and Wildlife Service (USWS) and the California Department of Fish and Game (CDFG) for potential impacts to the San Joaquin kit fox and other sensitive species by TRIP projects and improvements to the circulation system, which occur within the boundaries of the MBHCP. We also understand from our conversation that City desires to continue to use the MBHCP for the TRIP projects that includes: 24th Street Improvements, Rosedale Highway Widening, Hageman Road Flyover, SR 178 Widening, Centennial Corridor/SR 58 Connector, and SR 178/Morning Drive Interchange.

We agree that the City will continue to use the MBHCP for compensatory mitigation required by USWS and CDFG for the TRIP projects and payment could occur after approval of the final environmental document for each project. The City will pay the appropriate fee amount to the Trust Group for the acreage disturbed and the Trust Group will acquire the required acreage amounts.

We welcome the opportunity to assist the City and Caltrans in completing TRIP projects and fulfilling your mitigation requirements. Please feel free to contact me if you have further questions.

Sincerely,

Martin Ortiz, MBHCP Trust Administrator

CC: Ted Wright, Civil Engineer IV – TRIP Manager
David Clark, Environmental Coordinator

Letter to PW Dir re, TRIP - Dec 2010.doc

1715 Chester Avenue, Bakersfield CA 93301

J-3: Letter to Office of Historic Preservation, Department of Parks and Recreation, State Historic Preservation Officer

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3101
FAX (805) 549-3329
TTY 711
<http://www.dot.ca.gov/dist05/>



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February 15, 2013

Dr. Carol Roland-Nawi
State Historic Preservation Officer
Office of Historic Preservation
P.O. Box 942896
Sacramento, CA 94296-0001

06-KER-58-PM T31.7/R55.6;
06-KER-99-PM 21.2/26.2
EA 05-48460

RE: Determinations of Eligibility for the Centennial Corridor Project, City of Bakersfield and Kern County, California

Dear Dr. Roland-Nawi:

The California Department of Transportation (Caltrans) is initiating consultation with you regarding the Centennial Corridor Project. This consultation is being undertaken in accordance with the January 1, 2004 Section 106 Programmatic Agreement and as part of federal responsibilities delegated to Caltrans by the Federal Highway Administration (FHWA), pursuant to 23 USC 327 and effective October 1, 2012.

Enclosed you will find an Historic Property Survey Report (HPSR) for the proposed undertaking. The HPSR fulfills three responsibilities under Section 106 of the National Historic Preservation Act: (1) determination of the Area of Potential Effects (APE); (2) documentation of the identification efforts for cultural resources located within the APE completed to date; and (3) evaluation of historic-period resources to determine their eligibility to the National Register of Historic Places (NRHP). Under the PA, Caltrans is responsible for ensuring the appropriateness of the APE (Stipulation VIII.A) and the adequacy of historic property identification efforts (Stipulation VIII.B). At this time, under PA Stipulation VIII.C.5, we seek your concurrence on Caltrans' determinations of eligibility for potential historic properties.

Project Description

Caltrans proposes to establish a new alignment for State Route 58, which would provide a continuous route along State Route 58 from Cottonwood Road on existing State Route 58, east of State Route 99, to Interstate 5. Improvements to State Route 99 and Westside Parkway would also be made to accommodate the connection with State Route 58. A complete project description can be found on page 4 of the enclosed HPSR.

Resources Identified

To date, identification efforts for the Centennial Corridor Project have resulted in the identification and documentation of 639 buildings or groups of buildings within the

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Dr. Carol Roland-Nawi
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APE of the undertaking. The resources were documented on 169 DPR 523 forms (see HPSR Exhibit 3, sheets A-O).

- Twenty-seven of these resources were **previously determined not eligible** for the National Register.

Properties Previously Determined Not Eligible for the National Register

APN	ADDRESS / NAME	COMMUNITY	YEAR BUILT	OHP STATUS CODE	MAP REFERENCE NO.	EXHIBIT
N/A	Kern Island Canal	Bakersfield	1874	6Z, 7N1	04-01	3C
149-101-03	17 Stine Rd	Bakersfield	1951	6Y	09-21	3J
149-120-13	3816 Peckham Ave	Bakersfield	1951	6Y	09-21	3J
020-091-07	337 Wetherley Dr	Bakersfield	1952	6Y	10-01	3F
147-031-08	28 Stephens Dr	Bakersfield	1945, 1948	6Y	N/A	3E
147-031-12	314 Stephens Dr	Bakersfield	1941	6Y	N/A	3E
147-031-37	2821 Brundage Ln	Bakersfield	1924-1972	6Y	N/A	3E
147-060-03	311 Dixon Ave	Bakersfield	1947	6Z	N/A	3E
147-071-02	116 Dixon Ave	Bakersfield	1941	6Y	N/A	3E
147-071-03	118 Dixon Ave	Bakersfield	1941	6Y	N/A	3E
147-071-04	120 Dixon Ave	Bakersfield	1941	6Z	N/A	3E
147-072-03	221-223 Hughes Ln	Bakersfield	1912-1952	6Y	N/A	3E
147-072-14	304 Dixon Ave	Bakersfield	1941	6Y	N/A	3E
147-072-15	300 Dixon Ave	Bakersfield	1940	6Y	N/A	3E
147-210-10	2329 Brite St	Bakersfield	1949	6Y	N/A	3E
149-222-12	96 Williamson Way	Bakersfield	1915-1989	6Y	N/A	3E
149-233-05	3618 Elcia Dr	Bakersfield	1941	6Y	N/A	3E
149-233-07	3624 Elcia Dr	Bakersfield	1924	6Y	N/A	3E
149-233-08	218 Williamson Way	Bakersfield	1918	6Y	N/A	3E
N/A	Arvin-Edison Canal	Bakersfield	1960s	6Y	N/A	3L
N/A	Calloway Canal	Bakersfield	1870s	6Z, 6Y	N/A	NA
N/A	Carrier (Gates) Canal	Bakersfield	1872-1873, 1960s	6Y	N/A	3L
N/A	Stine Canal	Bakersfield	1873, 1879, 1884	6Y	N/A	3F
N/A	Red Ribbon Lease 1, No. 3	Bakersfield	1949	6Z	N/A	N/A
N/A	Red Ribbon Ranch No. 14	Bakersfield	1942	6Z	N/A	N/A
N/A	Red Ribbon Ranch No. 17	Bakersfield	1944	6Z	N/A	N/A
N/A	Red Ribbon Ranch No. 23	Bakersfield	1944	6Z	N/A	N/A

- Three of these were **determined to be eligible** for the National Register: 307 S. Oleander Ave., Rancho Vista (Tract 1522) and 3904 Marsha Street.
- One was **previously determined eligible** for the National Register (The Friant-Kern Canal).

All other resources identified within the APE are **exempt from formal evaluation** pursuant to Programmatic Agreement Stipulation VIII.C.1 and Attachment 4 ("Properties Exempt from Evaluation").

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Geoarchaeological Study

The pedestrian archaeological survey did not identify any archaeological resources within the APE. However, because the vast majority of the surface of the archaeological APE is covered by modern development, it is possible that buried sites are still present. For this reason, a two-staged Extended Phase I was initiated. The first stage was a Geoarchaeological Study (See Attachment 3 of the HPSR). This paper study addressed the vertical APE by conducting a geomorphic evaluation. Specific areas along the planned and alternate routes were evaluated. Stage II will test the sensitivity model and identify resources in any of the sensitive area. This stage of the Extended Phase I will be completed after the selection of the preferred alternative.

Findings

Caltrans is requesting your concurrence on the following determinations of eligibility pursuant to Stipulation VIII.C.5 of the Programmatic Agreement.

1. As assigned by the Federal Highway Administration pursuant to 23 USC 327, Caltrans has determined that the following three built-environment resources are eligible for listing in the NRHP.

Properties Appearing Eligible for the NRHP as a Result of the Current Study

APN	ADDRESS / NAME	COMMUNITY	YEAR BUILT	OHP STATUS CODE	MAP REFERENCE No.	HPSR EXHIBIT
147-240-14	307 S Oleander Ave	Bakersfield	1939	3S	05-04	3E
Various (See HRER)	Rancho Vista (Tract 1522)	Bakersfield	1950–1957	3S	09-21	3J
149-131-03	3904 Marsha Street	Bakersfield	1956	3B	09-21A	3J
OHP Status Code: Office of Historic Preservation historical resources classification code for resources identified through a regulatory process or local government survey; HRER: Historic Resources Evaluation Report.						

2. As assigned by the Federal Highway Administration pursuant to 23 USC 327, Caltrans has determined that the following 165 built-environment resources are not eligible for listing in the NRHP (see table on next five pages).

Properties Determined not Eligible for the National Register as a Result of the Current Study

APN	Address / Name	Community	Year Built	OHP Status Code	Map Reference No.	HPSR Exhibit
168-141-06	929- 931 E Brundage Ln	Bakersfield	ca. 1940–1951	6Z	02-01	3B
Various; See HPSR Appendix E	Tract 1492	Bakersfield	1950–1951	6Z	02-02	3B
169-031-06	122 Madison St	Bakersfield	1953	6Z	02-03	3B
169-031-25	121 S Milham Dr	Bakersfield	1946	6Z	02-04	3B

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Properties Determined not Eligible for the National Register as a Result of the Current Study

APN	Address / Name	Community	Year Built	OHP Status Code	Map Reference No.	HPSR Exhibit
169-050-10	107 S Milham Dr	Bakersfield	1948	6Z	02-05	3B
169-032-22	122 S Milham Dr	Bakersfield	1952	6Z	02-06	3B
169-032-26	108 S Milham Dr	Bakersfield	1946	6Z	02-07	3B
169-062-06	132 Ohio Dr	Bakersfield	1929, 1959, 1984	6Z	03-01	3B
Various; See HPSR Appendix E	Tract 1503	Bakersfield	1949–1951	6Z	03-02	3B
011-043-05	501 Orchard St	Bakersfield	1940	6Z	03-03	3C
011-041-08	506 Fig St	Bakersfield	1920	6Z	03-04	3C
011-041-09	510 Fig St	Bakersfield	1924	6Z	03-05	3C
011-048-10	616 Fig St	Bakersfield	ca. 1920s	6Z	03-06	3C
011-046-02	621 Orchard St	Bakersfield	1963	6Z	03-07	3C
169-092-01	201 E Brundage Ln	Bakersfield	1954	6Z	03-08	3C
N/A	Kern Island Canal	Bakersfield	1874	6Z	04-01	3C
011-084-04	901 Snyder Ln	Bakersfield	1955	6Z	04-02	3C
011-060-17	123 S P St	Bakersfield	1955	6Z	04-03	3C
011-084-03	909 Snyder Ln	Bakersfield	1955	6Z	04-04	3C
011-060-15	912 Dobrusky Dr	Bakersfield	1957	6Z	04-05	3C
011-060-08	916 Dobrusky Dr	Bakersfield	1957	6Z	04-06	3C
011-060-14	920 Dobrusky Dr	Bakersfield	1957	6Z	04-07	3C
011-060-13	1000 Dobrusky Dr	Bakersfield	1948	6Z	04-08	3C
011-083-12	1001 Snyder Ln	Bakersfield	1955	6Z	04-09	3C
011-083-02	1005 Snyder Ln	Bakersfield	1943	6Z	04-10	3C
Various; See HPSR Appendix E	Tract 1061	Bakersfield	1938–1941	6Z	04-11	3C
011-083-01	1011 Snyder Ln	Bakersfield	1950	6Z	04-12	3C
011-082-05	301 S N St	Bakersfield	1946, 1947	6Z	04-13	3C
011-082-03	1119 Snyder Ln	Bakersfield	1954	6Z	04-14	3C
011-082-01	1129 Snyder Ln	Bakersfield	1950, 1960	6Z	04-15	3C
011-081-01	1200 Dobrusky Dr	Bakersfield	1951	6Z	04-16	3C
011-130-07	212 Vernal Pl	Bakersfield	1948	6Z	04-17	3C
011-102-11	1304 Richland St	Bakersfield	1926	6Z	04-18	3C
011-121-31	208-214 Brink Dr	Bakersfield	1946	6Z	04-19	3C
011-102-12	1324 Richland St	Bakersfield	1925	6Z	04-20	3C
011-102-13	1330 Richland St	Bakersfield	1924	6Z	04-21	3C
011-102-14	1416 Richland St	Bakersfield	1930	6Z	04-22	3C
011-122-09	209 Brink Dr	Bakersfield	1939	6Z	04-23	3C
011-122-14	308-314 S Chester Ave	Bakersfield	1939	6Z	04-24	3C
011-122-15	304 S Chester Ave	Bakersfield	1926	6Z	04-25	3C
011-122-16	234 S Chester Ave	Bakersfield	1925	6Z	04-26	3C
011-111-13	313-317 S Chester Ave	Bakersfield	1927	6Z	04-27	3C
011-111-12	305-309 S Chester Ave	Bakersfield	1935–1936, 1969	6Z	04-28	3C
011-111-11	301 S Chester Ave	Bakersfield	1932	6Z	04-29	3C
011-111-10	233 S Chester Ave	Bakersfield	1932	6Z	04-30	3C

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Properties Determined not Eligible for the National Register
as a Result of the Current Study

APN	Address / Name	Community	Year Built	OHP Status Code	Map Reference No.	HPSR Exhibit
011-111-09	229 S Chester Ave	Bakersfield	1936	6Z	04-31	3C
011-111-24	230 Haybert Ct	Bakersfield	1926	6Z	04-32	3C
011-111-25	228 Haybert Ct	Bakersfield	1926	6Z	04-33	3C
011-111-27	206 Haybert Ct	Bakersfield	1925	6Z	04-34	3C
011-111-28	204 Haybert Ct	Bakersfield	1927	6Z	04-35	3C
011-112-14	301 Haybert Ct	Bakersfield	1947	6Z	04-36	3C
011-112-13	231 Haybert Ct	Bakersfield	1945	6Z	04-37	3C
011-112-12	225 Haybert Ct	Bakersfield	1945	6Z	04-38	3C
011-112-11	219 Haybert Ct	Bakersfield	1927	6Z	04-39	3C
011-112-10	215 Haybert Ct	Bakersfield	1926	6Z	04-40	3C
011-112-09	207 Haybert Ct	Bakersfield	1939	6Z	04-41	3C
147-310-18	310 Houchin Rd	Bakersfield	1937	6Z	04-42	3C
147-290-03	1819 Brundage Ln	Bakersfield	1953	6Z	04-43	3C
147-290-02	1825 Brundage Ln	Bakersfield	1926	6Z	04-44	3C
147-290-11	124 Houchin Rd	Bakersfield	1937	6Z	04-45	3C
147-290-12	120 Houchin Rd	Bakersfield	1938	6Z	04-46	3C and 3E
147-280-01	309 Houchin Rd	Bakersfield	1939	6Z	05-01	3C and 3E
Various; See HPSR Appendix E	Tract 1010	Bakersfield	1936–1952	6Z	05-02	3C and 3E
Various; See HPSR Appendix E	Tract 1235	Bakersfield	1946–1950	6Z	05-03	3E
147-440-05	2200 Roosevelt St	Bakersfield	1956	6Z	05-05	3E
147-240-03	2293 Brite St	Bakersfield	1951	6Z	05-06	3E
147-240-02	2207 Brite St	Bakersfield	1956	6Z	05-07	3E
147-240-01	2291 Brite St	Bakersfield	1953, 1965	6Z	05-08	3E
147-210-06	2300 Brite St	Bakersfield	1951	6Z	05-09	3E
147-210-05	2324 Brite St	Bakersfield	1951	6Z	05-10	3E
147-210-04	2394 Brite St	Bakersfield	1950	6Z	05-11	3E
147-210-11	2331 Brite St	Bakersfield	1949	6Z	05-12	3E
147-210-03	2396 Brite St	Bakersfield	1949	6Z	05-13	3E
147-210-12	300 Hughes Ln	Bakersfield	1945, 1979	6Z	05-14	3E
147-091-03	2402 Robbin Rd	Bakersfield	1951	6Z	05-15	3E
147-091-04	2404 Robbin Rd	Bakersfield	1951	6Z	05-16	3E
147-091-05	2406 Robbin Rd	Bakersfield	1948	6Z	05-17	3E
147-080-03	2408 Robbin Rd	Bakersfield	1951	6Z	05-18	3E
147-080-04	203 Judan St	Bakersfield	1950	6Z	05-19	3E
147-080-14	205 Judan St	Bakersfield	1953	6Z	05-20	3E
147-072-13	2530 Colton St	Bakersfield	1941	6Z	05-21	3E
Various; See HPSR Appendix E	Tract 1402	Bakersfield	1949–1954	6Z	05-22	3E
147-060-04	313 Dixon Ave	Bakersfield	1940	6Z	05-23	3E
147-060-02	305 Dixon Ave	Bakersfield	1957	6Z	05-24	3E
147-053-03	209 Myrtle	Bakersfield	1949	6Z	05-25	3E
147-053-02	205 S Myrtle St	Bakersfield	1949	6Z	05-26	3E
147-031-07	24 Stephens Dr	Bakersfield	1963	6Z	05-27	3E

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Properties Determined not Eligible for the National Register
as a Result of the Current Study

APN	Address / Name	Community	Year Built	OHP Status Code	Map Reference No.	HPSR Exhibit
Various; See HPSR Appendix E	Tract 1527	Bakersfield	1950	6Z	05-28	3E
Various; See HPSR Appendix E	Olive Street Tract	Bakersfield	1950	6Z	05-29	3E
Various; See HPSR Appendix E	Tract 1549	Bakersfield	1950	6Z	05-30	3E
164-101-13	3400 Madrid Ave	Bakersfield	1961	6Z	07-01	3D
Various; See HPSR Appendix E	Tract 1915	Bakersfield	1957–1959	6Z	07-02	3D and 3E
164-040-30	1117 Wible Rd	Bakersfield	1961, 1967	6Z	07-03	3E
164-040-20	3309 Wood Ln	Bakersfield	ca. 1950s	6Z	07-04	3E
164-040-01	3311 Wood Ln	Bakersfield	1959	6Z	07-05	3E
164-091-08	3407 Wood Ln	Bakersfield	1959	6Z	07-06	3E
164-010-38	3308 Wood Ln	Bakersfield	1957	6Z	08-01	3E
164-010-18	3310 Wood Ln	Bakersfield	1946	6Z	08-02	3E
164-010-19	3320 Wood Ln	Bakersfield	1948	6Z	08-03	3E
164-010-09	3229 Belle Terrace	Bakersfield	1948	6Z	08-04	3E
Various; See HPSR Appendix E	Tract 1562	Bakersfield	1951–1955	6Z	08-05	3E
149-250-50	3234 Belle Terrace	Bakersfield	1952	6Z	08-06	3E
149-250-15	3209 Mona Way	Bakersfield	1959	6Z	08-07	3E
149-250-16	3213 Mona Way	Bakersfield	1959	6Z	08-08	3E
149-250-09	3232 Mona Wy	Bakersfield	1947	6Z	08-09	3E
149-250-08	3326 Mona Way	Bakersfield	1952	6Z	08-10	3E
Various; See HPSR Appendix E	Tract 1579	Bakersfield	1951	6Z	08-11	3E
149-190-08 149-190-11	3330 Elcia Dr 3320 Elcia Dr	Bakersfield Bakersfield	1956, 1963 1963	6Z	08-12	3E
149-190-17	3324 Elcia Dr	Bakersfield	1961	6Z	08-13	3E
149-211-10	3400 Elcia Dr	Bakersfield	1953	6Z	08-14	3E
149-212-10	3401 Elcia Dr	Bakersfield	1953	6Z	08-15	3E
149-211-09	3404 Elcia Dr	Bakersfield	1953	6Z	08-16	3E
149-212-09	3405 Elcia Dr	Bakersfield	1953	6Z	08-17	3E
149-211-08	3408 Elcia Dr	Bakersfield	1953	6Z	08-18	3E
149-212-08	3409 Elcia Dr	Bakersfield	1953	6Z	08-19	3E
149-211-07	3412 Elcia Dr	Bakersfield	1953	6Z	08-20	3E
149-212-07	3413 Elcia Dr	Bakersfield	1953	6Z	08-21	3E
149-211-06	3416 Elcia Dr	Bakersfield	1953	6Z	08-22	3E
149-211-05	3500 Elcia Dr	Bakersfield	1949	6Z	08-23	3E
149-200-05	210 S Real Rd	Bakersfield	1929	6Z	08-24	3E
149-211-04	3502 Elcia Dr	Bakersfield	1953	6Z	08-25	3E
149-211-01	236 S Real Rd	Bakersfield	1953, 1968	6Z	08-26	3E
149-231-18	301 S Real Rd	Bakersfield	1940	6Z	08-27	3E
149-232-04	225 Williamson Way	Bakersfield	1954	6Z	08-28	3E
149-232-03	217 Williamson Way	Bakersfield	1954	6Z	08-29	3E
149-232-02	215 Williamson Way	Bakersfield	1955	6Z	08-30	3E

“Caltrans improves mobility across California”

Dr. Carol Roland-Nawi
February 15, 2013
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Properties Determined not Eligible for the National Register
as a Result of the Current Study

APN	Address / Name	Community	Year Built	OHP Status Code	Map Reference No.	HPSR Exhibit
149-232-14	320 S Garnsey Ave	Bakersfield	1943	6Z	08-31	3E
149-232-08	306 S Garnsey Ave	Bakersfield	1959	6Z	08-32	3E
149-232-01	300 S Garnsey Ave	Bakersfield	1959	6Z	08-33	3E
149-340-10	100 Stine Rd	Bakersfield	1950, 1965	6Z	08-34	3E
149-211-03	3504 Elcia Dr	Bakersfield	1949	6Z	08-35	3E
008-062-17	92 Oak St	Bakersfield	1962–1963	6Z	09-01	3E
008-062-13	3050-3090 Brundage Ln	Bakersfield	1956	6Z	09-02	3E
008-061-22	3116-3118 Verde St	Bakersfield	1954	6Z	09-03	3E
Various; See HPSR Appendix E	Tract 1397	Bakersfield	1948–1950	6Z	09-04	3E
149-222-01	20 Williamson Way	Bakersfield	1964	6Z	09-05	3E
149-222-21	3621 Stockdale Hwy	Bakersfield	1962	6Z	09-06	3E
149-222-14	209 Williamson Way	Bakersfield	1957	6Z	09-07	3E
149-222-15	205 Williamson Way	Bakersfield	1957	6Z	09-08	3E
149-222-16	201 Williamson Way	Bakersfield	1957	6Z	09-09	3E
149-222-17	125 Williamson Way	Bakersfield	1957	6Z	09-10	3E
Various; See HPSR Appendix E	Tract 1938	Bakersfield	1957–1960	6Z	09-11	3J
149-221-21	195 S Garnsey Ave	Bakersfield	ca. 1930, 1950	6Z	09-12	3J
149-221-03	3847-3849 Stockdale Hwy	Bakersfield	1961	6Z	09-13	3J
020-200-12	3808 Stockdale Hwy	Bakersfield	1960	6Z	09-14	3J
149-221-24	30 Stine Rd	Bakersfield	1935	6Z	09-15	3J
149-221-11	22 Stine Rd	Bakersfield	1940	6Z	09-16	3J
149-221-12	16 Stine Rd	Bakersfield	1935	6Z	09-17	3J
149-221-13	20 Stine Rd	Bakersfield	1956	6Z	09-18	3J
149-221-17	3899 Stockdale Hwy	Bakersfield	1932, 1977	6Z	09-19	3J
Various; See HPSR Appendix E	Stockdale Manor (Tracts 1750, 1753)	Bakersfield	1955	6Z	09-20	3J
Various; See HPSR Appendix E	Tract 1530	Bakersfield	1950–1954	6Z	10-01	3F
020-150-09	3300 Palm St	Bakersfield	1956-58c	6Z	10-02	3F
020-140-25 020-140-35 020-140-42	3231 Chester Ln	Bakersfield	1962, 1964, ca. 1968– 1975, 1993	6Z	10-03	3F
020-140-06	3311 Chester Ln	Bakersfield	1950	6Z	10-04	3F
020-130-23	3232 Chester Ln	Bakersfield	1963–1964	6Z	10-05	3F
Various; See HPSR Appendix E	Tract 1005	Bakersfield	1957–1959	6Z	15-01	3J

Dr. Carol Roland-Nawi
February 15, 2013
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Properties Determined not Eligible for the National Register
as a Result of the Current Study

APN	Address / Name	Community	Year Built	OHP Status Code	Map Reference No.	HPSR Exhibit
149-142-08	3990 Peckham Ave	Bakersfield	1935	6Z	15-02	3J
149-142-19	40 McDonald Way	Bakersfield	1938	6Z	15-03	3J
Various; See HPSR Appendix E	Tract 1610	Bakersfield	1952–1954	6Z	15-04	3J
149-330-03	4400 Frazier Ave	Bakersfield	1955	6Z	15-05	3J
149-330-04	4404 Frazier Ave	Bakersfield	1955	6Z	15-06	3J
N/A	K.C.L. Wells No. A53, D65, D66, D67, D77	Bakersfield	ca. 1950– 1953	6Z	16-01	3J and 3K
N/A	Kernland Wells No 5 & 10	Bakersfield	1949, 1953, ca. 1965	6Z	17-01	3J and 3K
N/A	Red Ribbon Ranch Wells No. 22, 31, 42	Bakersfield	1945, 1948, 1952	6Z	19-01	3K
OHP Status Code: Office of Historic Preservation historical resources classification code for resources identified through a regulatory process or local government survey						

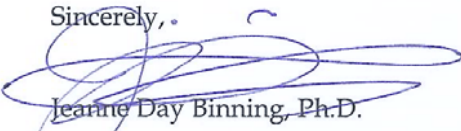
Summary

We look forward to receiving your response within 30 days of your receipt of this HPSR submittal, in accordance with Programmatic Agreement Stipulation VIII.C.5a. A Supplemental HPSR will be submitted after an alternative is selected and further identification efforts for archaeological resources have been completed.

This letter and the enclosed HPSR are concurrently being distributed to the Caltrans Cultural Communities Studies Office and three Native American tribes.

Thank you for your assistance with this undertaking. If you need any additional information, please feel free to contact Caltrans architectural historian Philip Vallejo at (559) 445-5997; Fax (559) 445-6236; or e-mail: philip_vallejo@dot.ca.gov.

Sincerely,


Jeanne Day Binning, Ph.D.
Branch Chief, Central California Cultural Resource Branch

Enc: Historic Property Survey Report, Centennial Corridor Project

cc: Todd Jaffke, Caltrans Section 106 Coordinator, Cultural and Community Studies Office
Clarence Atwell, Chairperson, Santa Rosa Rancheria (attention Lalo Franco)
Neil Peyron, Chairperson, Tule River Indian Tribe
Kathryn Montes Morgan, Chairwoman, Tejon Indian Tribe

J-4: Email from Santa Rosa Rancheria Tachi Yokut Tribe

Shana Brum <SBrum@tachi-yokut-nsn.gov>
To: "philip_vallejo@dot.ca.gov" <philip_vallejo@dot.ca.gov>
CC: "mandy.marine@dot.ca.gov" <mandy.marine@dot.ca.gov>
Subject: Centennial Corridor Project

03/06/2013 09:48 AM

Dear Philip Vallejo,

I am writing to you on behalf of Santa Rosa Rancheria Tachi Yokut Tribe's Cultural Department to consult on the Centennial Corridor Project. Due to the likelihood of buried archaeological deposits, we are recommending the creation of a Native American Monitoring Program for segment 2 and the river crossing of the preferred route during the construction phase of this project. If alternative C is the preferred route, we recommend monitoring the entire construction phase of this segment. Santa Rosa Rancheria's Cultural Department, is willing to assist you in this process. Also, we would like to request a site visit to survey the project area of Segment 2. We look forward to working with you. Thank you for your time.

Sincerely,

Shana Brum
Santa Rosa Rancheria Tachi Yokut Tribe
Cultural and Historic Preservation Department
Cultural Specialist/Archaeological Technician
Office: (559)924-1278 Ext 4013
Wk. Cell: (559)997-9919
Email: SBrum@tachi-yokut-nsn.gov

J-5: Letter to Office of Historic Preservation, Department of Parks and Recreation, State Historic Preservation Officer

STATE OF CALIFORNIA – THE NATURAL RESOURCES AGENCY

EDMUND G. BROWN, JR., *Governor*

OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION

1725 23rd Street, Suite 100
SACRAMENTO, CA 95816-7100
(916) 445-7000 Fax: (916) 445-7053
calshpo@parks.ca.gov
www.ohp.parks.ca.gov



April 15, 2013

Reply To: FHWA_2013_0319_002

Jeanne Day Binning, Ph.D.
Branch Chief, Central California Cultural Resource Branch
Caltrans
50 Higuera Street
San Luis Obispo, CA 93401-5415

Re: Determinations of Eligibility for the Proposed Centennial Corridor Project, City of Bakersfield and Kern County, CA

Dear Ms. Binning:

Thank you for consulting with me about the subject undertaking in accordance with the Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California (PA).

Caltrans has determined that the 165 properties listed under Findings number 2 from your letter of February 15, 2013 (attached) are not eligible for the National Register of Historic Places (NRHP).

Caltrans has also found that the following properties are eligible for the NRHP for the following reasons:

- 307 S Oleander Avenue – Caltrans found this property eligible under Criterion C at the local level of significance as a finely executed local example of Colonial Revival architecture. The period of significance is 1939, the year the house and garage were built.
- Rancho Vista (Tract 22) – Caltrans found this district eligible under Criteria A and C at the local level of significance. Under Criterion A the tract is eligible for its incorporation of innovative mass-production techniques during the postwar period. It is also eligible under Criterion C as a local example of a postwar subdivision comprised entirely of houses that were built using a whole-house prefabrication method. The period of significance for the Rancho Vista tract extends from 1950 through 1957. These reflect the years that the houses were delivered to the tract.
- 3904 Marsha Street – Caltrans found this property eligible as both a contributor to the Rancho Vista tract as well as individually eligible. On an individual basis the property is eligible under Criterion A at the local level of significance for its association with Cold War tension between the United States and the Soviet Union, and the fear of nuclear war between the two countries. The fallout shelter conveys the mindset of the time and the lengths people were willing to go to survive a nuclear holocaust.

Based on review of the submitted documentation, I concur with the foregoing determinations.

Ms. Binning
April 15, 2013
Page 2 of 2

Thank you for considering historic properties during project planning. If you have any questions, please contact Natalie Lindquist of my staff at (916) 445-7014 or email at natalie.lindquist@parks.ca.gov.

Sincerely,

Susan H Stratton for

Carol Roland-Nawi, Ph.D.
State Historic Preservation Officer

J-6: Letter to United States Fish and Wildlife Service

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3101
FAX (805) 549-3329
TTY 711
<http://www.dot.ca.gov/dist05/>



*Flex your power!
Be energy efficient!*

April 15, 2013

Mr. Thomas Leeman
Division Chief, San Joaquin Valley
Sacramento Field Office
U.S. Fish and Wildlife Service
2800 Cottage Way, Room W-2605
Sacramento, CA 95825

Dear Mr. Leeman::

Caltrans is initiating consultation as part of its NEPA assignment of federal responsibilities by the Federal Highway Administration (FHWA), effective October 1, 2012 and pursuant to 23 USC 327. The enclosed biological assessment details the anticipated effects upon federally listed species resulting from the proposed realignment and widening of Highway 58 through Bakersfield, in Kern County. The "Centennial Corridor" project is a part of the Thomas Roads Improvement Program (TRIP).

Our assessment concludes that the proposed project may affect, and is likely to adversely affect the San Joaquin kit fox population in the City of Bakersfield but would not likely to affect any other species listed under the Federal Endangered Species Act.

If you have questions or wish to discuss the project, please contact me at (805) 549-3622 or at chuck.cesena@dot.ca.gov.

Sincerely,

Chuck Cesena
Chuck Cesena
Senior Environmental Planner

Enclosure: Centennial Corridor Biological Assessment

"Caltrans improves mobility across California"

J-7: Letter from Office of Historic Preservation, Department of Parks and Recreation, State Historic Preservation Officer

STATE OF CALIFORNIA – THE NATURAL RESOURCES AGENCY
EDMUND G. BROWN, JR., Governor

OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION

1725 23rd Street, Suite 100
SACRAMENTO, CA 95818-7100
(916) 445-7000 Fax: (916) 445-7053
calshpo@parks.ca.gov
www.ohp.parks.ca.gov



April 10, 2014 Reply To: FHWA_2013_0319_002

Anmarie Medin
Chief, Cultural Studies Office
Caltrans Division of Environmental Analysis, MS 27
PO Box 942874
Sacramento, CA 94274-0001

Re: Finding of Effect for the Proposed Centennial Corridor Project, Bakersfield, Kern County, CA

Dear Ms. Medin:

Thank you for consulting with me about the subject undertaking in accordance with the *Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California (PA)*.

Caltrans has found that the proposed project will have no adverse effect to the following properties that have been previously determined eligible for the National Register of Historic Places (NRHP):

- Friant-Kern Canal
- Lester H. Houchin residence
- 3904 Marsha Street
- Rancho Vista Historic District

It is Caltrans' opinion that a finding of No Adverse Effect without Standard Conditions is appropriate because the effects to the Rancho Vista Historic District property will not result in the loss or impairment of character-defining features, essential physical features, or aspects of integrity that make the Tract eligible for inclusion in the NRHP.

Based on my review of the submitted documentation I object to the finding of No Adverse Effect for the following reasons:

1. At this point in time it does not appear that Caltrans has completed their identification effort with regards to archeology. It appears as though Caltrans is planning to defer extended archeological studies until a preferred alternative has been selected.
2. The sound wall proposed for the project results in a visual intrusion to the Rancho Vista Historic District that is out of scale with the neighborhood and greatly affects the residential feel of the neighborhood. While incompatible changes may have

Ms. Medin
April 10, 2014
Page 2 of 2

affected the setting of the neighborhood in the past the elevated nature of the sound wall being proposed is very imposing and in my opinion would result in an adverse effect to the historic district.

Thank you for considering historic properties during project planning. If you have any questions, please contact Natalie Lindquist of my staff at (916) 445-7014 or email at natalie.lindquist@parks.ca.gov.

Sincerely,

Carol Roland-Nawi, Ph.D.
State Historic Preservation Officer

J-8: Letter from State of California, Department of Transportation, Division of Environmental Analysis

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr. Governor

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENVIRONMENTAL ANALYSIS
P.O. BOX 942873, MS-27
SACRAMENTO, CA 94273-0001
PHONE (916) 653-7136
FAX (916) 653-6126
TTY 711
www.dot.ca.gov



Serious Drought!
Help save water!

April 18, 2014

Dr. Carol Roland-Nawi
California State Historic Preservation Officer
Office of Historic Preservation
California Department of Parks and Recreation
1725 23rd Street, Suite 100
Sacramento, CA 95816

OHP File: FHWA 2013 0319 002

Centennial Corridor Project

Subject: Section 106 Consultation on Finding of Effect for the Proposed Centennial Corridor Project, Bakersfield, Kern County, CA.

Attention: Ms. Natalie Lindquist

Dear Dr. Roland-Nawi:

The California Department of Transportation (Caltrans), *in coordination with the City of Bakersfield*, is continuing consultation with the California State Historic Preservation Officer (SHPO) for the undertaking titled Centennial Corridor Project. This consultation is undertaken in accordance with the 2014 *First Amended Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act as it Pertains to the Administration of the Federal-Aid Highway Program in California* (Section 106 PA).

Thank you for your letter of April 10, 2014 providing your comments concerning the Finding of Effect documentation submitted to your office by Caltrans. You objected to a finding of No Adverse Effect without Standard Conditions based on the following reasons:

1. At the point in time it does not appear that Caltrans has completed their identification effort with regards to archaeology. It appears as though Caltrans is planning to defer extended archaeological studies until a preferred alternative has been selected.
2. The sound wall proposed for the project results in a visual intrusion to the Rancho Vista Historic District that is out of scale with the neighborhood and greatly affects the residential feel of the neighborhood. While incompatible changes may have affected the setting of the neighborhood in the past the elevated nature of the sound wall being proposed is very imposing and in my opinion would result in an adverse effect to the historic district.

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Carol Roland-Nawi, Ph.D.
April 18, 2014
Page 2 of 3

Accordingly, as a result of the preceding SHPO comments, Caltrans has reassessed the undertaking and its anticipated effects on historic properties under Section 106 PA Section X, and 36 CFR 800.5. Caltrans has revised the finding to be a finding of Adverse Effect for the Centennial Corridor Project based on the consideration of your two comments, addressed further below in reverse order.

Regarding the second comment, Caltrans has concluded that the elevated sound wall, though located outside of the Rancho Vista Historic District boundaries, would constitute a visual intrusion and diminish the historic property’s setting. Thus, this would create an adverse effect as defined at 36 CFR 800.5. As a result, Caltrans will be working with SHPO and other consulting parties to explore possible measures to resolve adverse effects by minimizing or eliminating the adverse visual effects on the historic property. A separate draft Memorandum of Agreement (MOA) will be submitted to you following circulation of the Draft Environmental Impact Statement and receipt of public comment.

Regarding the first comment, we understand the SHPO could not concur with the Caltrans finding of no adverse effect on archaeological resources until the identification phase of the Section 106 process had been completed.

As Caltrans detailed in the Historic Property Survey Report (HPSR), the records search indicated four archaeological resources were recorded within 0.5-mile of the archaeological APE (CA-KER-167, CA-KER-3072, CA-KER-7232, and CA-KER-7233). None of the sites are within the archaeological Area of Potential Effects (APE) itself; therefore, they would not be impacted by the undertaking. While the pedestrian survey did not identify any archaeological resources to be within the archaeological APE, due to the archaeological sensitivity of the area, the dearth of previous archaeological surveys, and the extent of urban development, Caltrans recognizes that archaeological resources may lie buried within the area of direct impact for the project and further identification efforts would be needed.

Caltrans has proposed that it carry out a two-stage Extended Phase I. The first stage (already completed and submitted to SHPO as part of the HPSR in February 2013) consisted primarily of a background paper study assessing the vertical APE and evaluating the potential for buried archaeological deposits. The focus of the second stage is to test for the presence of archaeological resources in sensitive soils and sediments. As presented to the SHPO, the Stage II portion of the Extended Phase I Geoarchaeological Report would be undertaken for the preferred alternative. A Supplemental HPSR will be prepared by Caltrans and will be submitted to the SHPO and other consulting parties if the geoarchaeology identification efforts identify any archaeological resources for the Centennial Corridor Project.

If archaeological deposits or sites are discovered as a result of the Stage II fieldwork, and such sites or deposits are not otherwise included in the list of archaeological property types and features exempt from evaluation as provided in the Section 106 PA Attachment 4, then a Phase II investigation (Archaeological Evaluation Report) would be prepared to determine site boundaries and the potential National Register of Historic Places (NRHP) eligibility of any newly identified

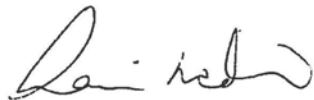
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Carol Roland-Nawi, Ph.D.
April 18, 2014
Page 3 of 3

site(s). Should archaeological resources be determined to be historic properties and they will be adversely affected by the project, mitigation of these properties will be addressed in the MOA to be developed for this undertaking (Phase III excavations, public outreach, etc.). Moreover, the MOA will outline a protocol to address the inadvertent discovery of previously undocumented archaeological resources in accordance with 36 CFR 800. 6(c) (6). It will include the communication protocol between your office and Caltrans. The MOA will also stipulate that destructive mitigation of archaeological historic properties will take place only after design plans are sufficiently developed and it has been determined that the historic property could not be avoided.

Upon reevaluation of your concerns and the project, we have determined that the Centennial Corridor project will have an adverse effect on historic properties, and request your expedited concurrence with this finding by providing your signature on the concurrence line below. Caltrans will continue consulting with you on the two concerns as we develop the MOA. If you have any questions or concerns, please do not hesitate to contact me at (916) 653-6187.

Sincerely,



ANMARIE MEDIN
Chief
Cultural Studies Office

Concur: 

Carol Roland-Nawi
State Historic Preservation Officer

April 24, 2014
Date

c: Natalie Lindquist –OHP

cc: Kelly Hobbs, Section 106 Coordinator (via electronic transmission)
Jennifer Taylor, D6 Office Chief (via electronic transmission)

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to enhance California's economy and livability"*

Carol Roland-Nawi, Ph.D.
April 18, 2014
Page 4 of 3

Jeanne Binning, D6 Branch Chief (via electronic transmission)
Phillip Vallejo, D6 Architectural Historian (via electronic transmission)
Bob Pavlik, Central Region Environmental Coordinator (via electronic transmission)

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

J-9: Letter from Department of the Army, U.S. Army Engineer District, Sacramento, Corps of Engineers



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO CA 95814-2922

August 7, 2014

Regulatory Division SPK-2008-01813

State of California
Department of Transportation, District 6
Attn: Ms. Jennifer H. Taylor
855 M Street, Suite 200
Fresno, California 93721-2716

Dear Ms. Taylor:

We are responding to your May 7, 2014, request for comments on the *Draft Environmental Impacts Report/Environmental Impact Statement (EIR/EIS)(CEQ#20140140)* for the Centennial Corridor Project (KER – 58 – PM T31.7 to PM R55.6, KER – 99 – PM 21.2 to PM 26.2), dated May 2014.

Our jurisdiction within the study area is under the authority of Section 404 of the Clean Water Act (CWA) for the discharge of dredged or fill material into waters of the United States (WoUS). WoUS include, but are not limited to, rivers, perennial or intermittent streams, lakes, ponds, wetlands, vernal pools, marshes, wet meadows, and seeps.

Based on our regulations and policies, the Corps places high degrees of importance on the functional losses either directly or indirectly caused by the discharge of dredged or fill material into waters of the U.S., including wetlands. Therefore, to the extent practicable, the EIS should quantitatively and/or qualitatively address the anticipated **direct and indirect** effects to aquatic ecosystems in terms of sedimentation (e.g., sediment transport, accretion, aggradation, degradation, erosion, hydrologic regime, water quality, floodplain encroachment, and habitat integrity). As a matter of efficacy, the EIS should include a summary of the major impacts to water resources with accompanying aerial or topographic maps of sufficient scale that geospatially illustrate the potential **direct and indirect** effects associated with the discharge of dredged or fill material into waters of the U.S.

Table S.1, *Summary of Major Potential Impacts from Alternatives*, identifies the amount of permanent and temporary impacts to "jurisdictional" WoUS; however, the jurisdictional status of these aquatic features has not been verified by this office. To date, our records indicate that Caltrans has not requested a jurisdictional determination for the study area; therefore, the location and quantity of WoUS within the study area is unknown. To ascertain the extent of WoUS within the study area, Caltrans should prepare a wetland delineation, in accordance with the "Minimum Standards for Acceptance of Preliminary Wetlands Delineations" and "Final Map and Drawing Standards for the South Pacific Division Regulatory Program", and submit it to this office for verification.

-2-

Caltrans has preliminarily identified Alternative B as the preferred alternative; however, we cannot concur with this determination. It would be pre-decisional to assume that Alternative B would likely yield the Least Environmentally Damaging Practicable Alternative (LEDPA) until we have verified the extent of WoUS within the study area and have evaluated the alternatives for compliance with the U.S. Environmental Protection Agency's CWA § 404(b)(1) Guidelines (40 C.F.R. Part 230).

Lastly, we strongly encourage Caltrans to make the most of timely mitigation planning opportunities by leveraging the resources of local, State, Federal, and non-profit entities to help with watershed wide identification of areas suitable for wetlands enhancement, restoration, creation and/or preservation in-perpetuity. To that end, the EIS should propose a meaningful suite of mitigation strategies that would avoid and minimize impacts and/or compensate for any unavoidable adverse impacts to aquatic resources. A draft mitigation plan and location of mitigation should be disclosed in the Final EIS and be submitted as part of the permit application. A final mitigation plan, approved by the Corps, is required if an Individual Permit is required for the proposed project. Any proposed mitigation should be in compliance with 33 C.F.R. Part 332 and 40 C.F.R. Part 230.

We appreciate your coordination efforts and the opportunity to submit comments. Please refer to identification number SPK-2008-01813 in any correspondence concerning this project. If you have any questions, please contact me at our California North Branch Office, Regulatory Division, U.S. Army Corps of Engineers, 1325 J Street, Room 1350, Sacramento, California 95814-2922, by email at Leah.M.Fisher@usace.army.mil, or telephone at 916-557-6639. For more information regarding our program, please visit our website at www.spk.usace.army.mil/Missions/Regulatory.aspx.

Sincerely,

Leah M. Fisher
Sr. Project Manager, CA North Branch
Regulatory Division

cc:

Zac Appleton, U.S. Environmental Protection Agency, Region 9, Appleton.Zac@epa.gov
Paul Amato, U.S. Environmental Protection Agency, Region 9, Amato.Paul@epa.gov
Thomas Leeman, U.S. Fish and Wildlife Service, Thomas.Leeman@fws.gov
Matt Scroggins, CA Regional Water Quality Control Board, mscroggins@waterboards.ca.gov
Robert Pavlik, State of California, Department of Transportation, bob.pavlik@dot.ca.gov
CA Department of Fish and Wildlife, Central Region, reg4sec@wildlife.ca.gov

J-10: Farmland Conversion Impact Rating for Corridor Type Projects form

U.S. DEPARTMENT OF AGRICULTURE
Natural Resources Conservation Service

NRCS-CPA-106
(Rev. 1-91)

FARMLAND CONVERSION IMPACT RATING
FOR CORRIDOR TYPE PROJECTS

PART I (To be completed by Federal Agency)

3. Date of Land Evaluation Request

4. Sheet 1 of 2

1. Name of Project

Centennial Corridor-06-KER-58 -NCIIP5109(10)

5. Federal Agency Involved

FHWA

2. Type of Project

Roadway Improvements

6. County and State

Kern County, California

PART II (To be completed by NRCS)

1. Date Request Received by NRCS

9/18/13

2. Person Completing Form

James Booth

3. Does the corridor contain prime, unique statewide or local important farmland?
(If no, the FPPA does not apply - Do not complete additional parts of this form).

YES ☒ NO ☐

4. Acres Irrigated

912,584

Average Farm Size

1,428

5. Major Crop(s)

Cotton, Grapes & Almonds

6. Farmable Land in Government Jurisdiction

Acres: 1,054,228 % 20.2%

7. Amount of Farmland As Defined in FPPA

Acres: 703,387 ac % 13.5

8. Name Of Land Evaluation System Used

California Storie System

9. Name of Local Site Assessment System

None

10. Date Land Evaluation Returned by NRCS

9/25/13

PART III (To be completed by Federal Agency)

Alternative Corridor For Segment All

Corridor A

Corridor B

Corridor C

Corridor D

A. Total Acres To Be Converted Directly

4

4

4

B. Total Acres To Be Converted Indirectly, Or To Receive Services

0

0

0

C. Total Acres In Corridor

513

478

549

PART IV (To be completed by NRCS) Land Evaluation Information

A. Total Acres Prime And Unique Farmland

3.16

3.16

3.16

B. Total Acres Statewide And Local Important Farmland

0.84

0.84

0.84

C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted

0

0

0

D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value

0

0

0

PART V (To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)

44.4

44.4

44.

PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))

Maximum Points

1. Area in Nonurban Use

15

15

2. Perimeter in Nonurban Use

10

10

3. Percent Of Corridor Being Farmed

20

20

4. Protection Provided By State And Local Government

20

2

5. Size of Present Farm Unit Compared To Average

10

5

6. Creation Of Nonfarmable Farmland

25

0

7. Availability Of Farm Support Services

5

5

8. On-Farm Investments

20

0

9. Effects Of Conversion On Farm Support Services

25

0

10. Compatibility With Existing Agricultural Use

10

0

TOTAL CORRIDOR ASSESSMENT POINTS

160

57

0

0

0

PART VII (To be completed by Federal Agency)

Relative Value Of Farmland (From Part V)

100

44.4

44.4

44

0

Total Corridor Assessment (From Part VI above or a local site assessment)

160

57

0

0

0

TOTAL POINTS (Total of above 2 lines)

260

101.4

44.4

44

0

1. Corridor Selected:

All the alternatives impact the same area.

2. Total Acres of Farmlands to be Converted by Project:

4 acres

3. Date Of Selection:

4. Was A Local Site Assessment Used?

YES ☐ NO ☒

5. Reason For Selection:

Each alternative requires improvements (turn lanes and a signal) at the Stockdale Highway/State Route 43 (Enos Lane) intersection. The impacts would be the area immediately adjacent to the existing road way on each quadrant of the intersection.

Signature of Person Completing this Part:

DATE

9/18/13

NOTE: Complete a form for each segment with more than one Alternate Corridor

Appendix J • Key Correspondence

NRCS-CPA-106 (Reverse)

CORRIDOR - TYPE SITE ASSESSMENT CRITERIA

The following criteria are to be used for projects that have a linear or corridor - type site configuration connecting two distant points, and crossing several different tracts of land. These include utility lines, highways, railroads, stream improvements, and flood control systems. Federal agencies are to assess the suitability of each corridor - type site or design alternative for protection as farmland along with the land evaluation information.

(1) How much land is in nonurban use within a radius of 1.0 mile from where the project is intended?

More than 90 percent - 15 points
90 to 20 percent - 14 to 1 point(s)
Less than 20 percent - 0 points

(2) How much of the perimeter of the site borders on land in nonurban use?

More than 90 percent - 10 points
90 to 20 percent - 9 to 1 point(s)
Less than 20 percent - 0 points

(3) How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last 10 years?

More than 90 percent - 20 points
90 to 20 percent - 19 to 1 point(s)
Less than 20 percent - 0 points

(4) Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?

Site is protected - 20 points
Site is not protected - 0 points

(5) Is the farm unit(s) containing the site (before the project) as large as the average - size farming unit in the County ?
(Average farm sizes in each county are available from the NRCS field offices in each state. Data are from the latest available Census of Agriculture, Acreage or Farm Units in Operation with \$1,000 or more in sales.)
As large or larger - 10 points
Below average - deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more below average - 9 to 0 points

(6) If the site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?

Acreage equal to more than 25 percent of acres directly converted by the project - 25 points
Acreage equal to between 25 and 5 percent of the acres directly converted by the project - 1 to 24 point(s)
Acreage equal to less than 5 percent of the acres directly converted by the project - 0 points

(7) Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?

All required services are available - 5 points
Some required services are available - 4 to 1 point(s)
No required services are available - 0 points

(8) Does the site have substantial and well-maintained on-farm investments such as barns, other storage building, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?

High amount of on-farm investment - 20 points
Moderate amount of on-farm investment - 19 to 1 point(s)
No on-farm investment - 0 points

(9) Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?

Substantial reduction in demand for support services if the site is converted - 25 points
Some reduction in demand for support services if the site is converted - 1 to 24 point(s)
No significant reduction in demand for support services if the site is converted - 0 points

(10) Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?

Proposed project is incompatible to existing agricultural use of surrounding farmland - 10 points
Proposed project is tolerable to existing agricultural use of surrounding farmland - 9 to 1 point(s)
Proposed project is fully compatible with existing agricultural use of surrounding farmland - 0 points

Centennial Corridor • 963

Centennial Corridor • 964

J-11: Memorandum of Agreement between Caltrans and the State Historic Preservation Officer Regarding the Centennial Corridor Project

MEMORANDUM OF AGREEMENT

BETWEEN THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER REGARDING THE CENTENNIAL CORRIDOR PROJECT, CITY OF BAKERSFIELD, KERN COUNTY, CALIFORNIA

WHEREAS, the Federal Highway Administration (FHWA) has assigned and the California Department of Transportation (Caltrans) has assumed FHWA responsibility for environmental review, consultation, and coordination pursuant to 23 USC 327, which became effective on October 1, 2012 and applies to this project (Undertaking); and

WHEREAS, Caltrans has consulted with the California State Historic Preservation Officer (SHPO) pursuant to Stipulation X.C and XI of the *First Amended Programmatic Agreement among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California* (Section 106 PA), and in accordance with 36 CFR Part 800, the regulation that implements Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 470f), as amended, regarding the Undertaking’s effect on historic properties; and

WHEREAS, for the purposes of this agreement, the City of Bakersfield (City) is the project proponent, Caltrans District 06 (District) is responsible for completion of environmental studies for the project described in this agreement. Caltrans Headquarters Division of Environmental Analysis is responsible for the oversight of District environmental responsibilities and Caltrans Cultural Studies Office (CSO) is responsible for coordination of the Section 106 process; and

WHEREAS, the Area of Potential Effects (APE) for the Undertaking was established to include all areas within the vicinity of the Centennial Corridor Project that may contain historic properties that would be directly or indirectly affected by the Undertaking. This includes the maximum existing and proposed right-of-way, project construction easements (temporary and permanent), staging areas, vertical APE, and temporary or permanent changes in access (ingress or egress) known at the time the APE was signed; and

WHEREAS, Caltrans has determined that the Centennial Corridor Project in Bakersfield, Kern County will have an adverse effect on the Rancho Vista Historic District, a property determined to be eligible for inclusion in the National Register of Historic Places (NRHP) by consensus determination; and

WHEREAS, Caltrans has consulted with the Native American community regarding the proposed undertaking and its effects on historic properties, will continue to consult with concerned Native American parties regarding this undertaking, and will afford the these groups and individuals, should they so desire, with an opportunity to participate in the implementation of this MOA; and

WHEREAS, the District and City have participated in the consultation and have been invited to concur in this Agreement; and

WHEREAS, the public has been given an opportunity to comment on the proposed Undertaking and its potential to adversely affect historic properties;

NOW, THEREFORE, Caltrans and the SHPO agree that if the Undertaking proceeds, the following measures shall be implemented in order to take into account the adverse effects of the Undertaking on historic properties (NRHP-eligible or listed resources), and further agree that these stipulations shall govern the Undertaking and all of its parts until this Agreement expires or is terminated.

STIPULATIONS

This agreement outlines the treatment for historic properties that will be affected by the Undertaking. The District shall ensure that the following measures and stipulations are carried out:

I. AREA OF POTENTIAL EFFECTS (APE)

- A.** If the District Professionally Qualified Staff (PQS) determines that the final design of the project requires a modification to the APE, the District will notify consulting parties in accordance with Attachment 3 of the Section 106 PA. The District will evaluate previously unidentified resources in accordance with Stipulations VIII and assess potential effects in accordance with Stipulation X of the Section 106 PA, except where an Adverse Effect determination is made. CSO in consultation with the District may assume an adverse effect on historic properties and proceed directly to the development of mitigation measures needed to resolve adverse effects. Mitigation measures will be developed as specified in this agreement and submitted to the consulting parties and interested public for a 30 day comment period. CSO in consultation with the District and SHPO will consider any comments received prior to finalizing the mitigation measures. If, at anytime, the parties to this Agreement cannot agree on the proposed mitigation measures, then the parties shall resolve the dispute as per Stipulation V.C of this agreement.

II. TREATMENT OF HISTORIC PROPERTIES

A. Rancho Vista Historic District

1. The City, in consultation with District PQS shall prepare a detailed report with a narrative description and contextual history of the development of postwar housing tracts within the Greater Bakersfield area, generally covering the period 1945-1973. Using the broad themes and context introduced in Caltrans’ *Tract Housing in California, 1945-1973* (2011) and the historical context and themes established in the HRER for the Centennial Corridor project as a foundation and expanding on historical information collected for other nearby transportation projects, the new study will provide specific historical information on the major tract housing developments in the City and the immediate surrounding unincorporated area. The fact-based, objective study will be prepared by a historian or architectural historian who meets the Secretary of the Interior’s Professional Qualification Standards for Archaeology and Historic Preservation (36 CFR Part 61). The resulting study will profile the various key tract postwar

developments. Such a study may include historical information gathered from a variety of sources, including period newspapers, local government planning documents and reports, historic photographs, and personal communications, among others. Caltrans CSO will submit the narrative report, that will be no less than fifty pages (minus attachments), to the SHPO for a 30-day review and comment period. Following the 30-day review, the District will take into consideration any comments the SHPO provided and finalize the report. Upon its completion, the report shall be distributed, at a minimum, to the Regional Information Center at CSU-Bakersfield, the City of Bakersfield Beale Library California Room, Kern County Planning and Community Development Department, City of Bakersfield Planning Division, Kern County Museum, Office of Historic Preservation, the District, and Caltrans Headquarters Library and History Center.

2. The City will place the above context onto a City-maintained website that will be accessible to the public. The City shall create the website prior to construction and/or within two years of execution of this Agreement and maintain the website through construction of the project and/or a minimum of five years, whichever is longer.
3. The City, in consultation with the District, will incorporate hardscape and landscape features that are compatible and/or sympathetic with the general character of the Rancho Vista Historic District, including color and texture. City will provide District PQS with landscape plans for review during the design phase for the project. Should the District and City fail to agree on the appropriateness of the proposed landscaping plan the District will submit a summary of the disagreement to SHPO and CSO for a 30-day comment period. District and City will consider all comments received prior to finalizing the landscape plans and provide a written response to CSO and SHPO within 15 days. If the parties cannot resolve the dispute regarding landscape plans, continued resolution will proceed in accordance with Stipulation V.C of this agreement.

III. TREATMENT OF HUMAN REMAINS OF NATIVE AMERICAN ORIGIN

As legally mandated, human remains and related items discovered during the implementation of the terms of this Agreement and the Undertaking will be treated in accordance with the requirements of Health and Safety Code Section 7050.5(b). If pursuant to of Health and Safety Code Section 7050.5(c) the coroner determines that the human remains are or may be those of a Native American, then the discovery shall be treated in accordance with the provisions of Public Resources Code Sections 5097.98 (a)-(d). Caltrans, as the landowner, shall ensure that, to the extent permitted by applicable law and regulation, the view of the Most Likely Descendent(s), as determined by the California Native American Heritage Commission, is taken into consideration when decisions are made about the disposition of Native American human remains and associated objects.

IV. POST-REVIEW DISCOVERIES AND UNANTICIPATED EFFECTS

If Caltrans determines after construction of the project commences that the Undertaking will affect a previously unidentified historic property or affect a known historic property in an unanticipated manner, Caltrans will address the discovery and/or unanticipated effect in accordance with Stipulation XV.B.1-4 of the Section 106 PA. The Registered Engineer (RE) or his representative will stop all work within a 60-foot radius of a discovery or effect in accordance with Caltrans Specifications for archaeological resources discovered during construction.

V. ADMINISTRATIVE PROVISIONS

A. Definitions

The definitions provided at 36 CFR § 800.16 are applicable throughout this Agreement.

B. Professional Qualifications Standards (PQS)

1. District PQS will ensure that the actions and products required by Stipulation II of this Agreement will be carried out by or under the direct supervision of persons meeting the *Secretary of the Interior's Professional Qualification Standards for Archeology and Historic Preservation (36 CFR Part 61) (PQS)* in the relevant field of study.
2. All written documentation prescribed by Stipulation II of this Agreement shall conform to the *Secretary of the Interior's Guidelines Standards for the Treatment of Historic Properties* (<http://www.nps.gov/tps/standards.htm>).

C. Resolving Objections

Should any party to this Agreement object at any time in writing to the manner in which the terms of this Agreement are implemented, to any action carried out or as proposed with respect to its implementation, Caltrans shall immediately notify the other parties of the objection, request their comments on the objection within (15) calendar days, following receipt of Caltrans notification, and proceed to consult with the objecting party for no more than thirty (30) days to resolve the objection. If such objection cannot be resolved within the thirty (30) day timeframe, Caltrans will:

1. Forward all documentation relevant to the dispute, including Caltrans' proposed resolution, to the Advisory Council on Historic Preservation (ACHP). Caltrans will also provide a copy to all signatories and concurring parties. The ACHP will provide Caltrans with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, Caltrans will prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories, and concurring parties, and provide them with a copy of this written response. Caltrans will then proceed according to its final decision.

2. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, Caltrans may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, Caltrans will prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to this Agreement, and provide them and the ACHP with a copy of such written response.
3. Caltrans responsibilities to carry out all other actions subject to the terms of this Agreement that are not subject of the dispute remain in effect.

D. Amendments

Any signatory party to this Agreement may propose that this Agreement be amended, whereupon all signatory parties shall consult to consider such amendment. The amendment will be effective on the date a copy signed by all of the original signatories is filed with the ACHP. If the signatories cannot agree to appropriate terms to amend this Agreement, any signatory may terminate the agreement in accordance with Stipulation IV.E.3 below.

E. Termination

1. If this Agreement is not amended as provided for in Stipulation V.D of this agreement, or if a signatory proposes termination of this Agreement for other reasons, the signatory party proposing termination shall, in writing, notify the other parties, explain the reasons for proposing termination, and consult with the other parties for at least 30 days to seek alternatives to termination. Such consultation shall not be required if Caltrans proposes termination because the Undertaking no longer meets the definition set forth in 36 CFR § 800.16(y).
2. Should such consultation result in an agreement on an alternative to termination, the signatory parties shall proceed in accordance with that agreement.
3. Should such consultation fail, the signatory party proposing termination may terminate this Agreement by promptly notifying the other parties in writing. Termination hereunder shall render this Agreement without further force or effect.
4. If this Agreement is terminated hereunder, and if Caltrans determines that the Undertaking will nonetheless proceed, then Caltrans shall comply with the requirements of the Section 106 PA.

F. Duration of Agreement

1. Unless terminated pursuant to Section E. of this stipulation, or unless it is superseded by an amended Agreement, this Agreement will be in effect following execution by the signatory parties until Caltrans, in consultation with the other signatory parties, determines that all of its stipulations have been satisfactorily fulfilled.

2. The terms of this Agreement shall be satisfactorily fulfilled within ten (10) years following the date of execution by the signatory parties, unless otherwise specified. If Caltrans determines that this requirement cannot be met, the parties to Agreement will consult to reconsider its terms. Reconsideration may include continuation of the Agreement, as originally executed, or amendment or termination of the Agreement.
3. If the Undertaking has not been implemented within ten (10) years following execution of this Agreement, it shall automatically terminate and have no further force or effect. In such event, Caltrans shall notify the other signatory parties in writing and, if it chooses to continue with the Undertaking, shall reinstate review of the Undertaking in accordance with 36 CFR Part 800.

G. Effective Date

This Agreement will take effect on the date that it is signed by both Caltrans and the SHPO.

EXECUTION of this Agreement by Caltrans and the SHPO and subsequent implementation of its terms, shall evidence that in accordance with the Section 106 PA Caltrans has taken into account the effects of the Undertaking on historic properties.

MEMORANDUM OF AGREEMENT

BETWEEN THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER REGARDING THE CENTENNIAL CORRIDOR PROJECT, CITY OF BAKERSFIELD, KERN COUNTY, CALIFORNIA

SIGNATORY PARTIES

California Department of Transportation

By: Katrina C. Pierce Date: 12/24/14
Katrina Pierce, Chief
Division of Environmental Analysis

California State Historic Preservation Officer

By: Carol Roland-Nawi Date: 1/6/15
for Carol Roland-Nawi, Ph.D
State Historic Preservation Officer

MEMORANDUM OF AGREEMENT

BETWEEN THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER REGARDING THE CENTENNIAL CORRIDOR PROJECT, CITY OF BAKERSFIELD, KERN COUNTY, CALIFORNIA

CONCURRING PARTIES

California Department of Transportation

By: Sharri Bender Ehlert Date: 1/7/2015
Sharri Bender Ehlert
District Director
District 6, Fresno

City of Bakersfield

By: N. J. Hall Date: 1/9/15
City of Bakersfield
Public Works Director